

BAY AREA
AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

FEB 13 1978

BOARD OF DIRECTORS

REGULAR MEETING

UNIVERSITY OF CALIFORNIA
939 Ellis Street
San Francisco
California 94109

Wednesday
January 4, 1978
10:00 A.M.

M I N U T E S

BOARD MEMBERS PRESENT: Edward J. Bacciocco, Jr., Sam Chapman;
Fred F. Cooper, Stuart C. Cullen,
Ralph P. Doetsch, James P. Kenny,
Ruth Koehler, Elwon Lance, Marguerite
Leipzig, James Lemos, Daniel A.
McCorquodale, Richard Oliver, Charles
Santana, Geraldine F. Steinberg,
Peter Tamaras, Helen Tirsell.

BOARD MEMBERS ABSENT: John L. Molinari, Gerald Poznanovich.

ADVISORY COUNCIL MEMBER
PRESENT: Robert J. Debs.

HEARING BOARD MEMBER
PRESENT: Kenneth A. Manaster.

STAFF MEMBERS PRESENT: D. J. Callaghan, Thomas F. Bell,
Hulan F. Brinkley, Warren Crouse,
Milton Feldstein, Richard W. Grieves,
Dario Levaggi, Donald A. Monanaghan,
Edward W. McHugh, John F. Powell,
Silvia Escamilla

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APPROVAL OF MINUTES OF DECEMBER 7 AND 21, 1977

Mr. Oliver moved the minutes of December 7 be approved; seconded by Mr. Doetsch; carried.

Minutes of December 21, 1977 were not available.

DISCUSSION OF MECHANISM TO PROVIDE LEGAL REPRESENTATION
FOR HEARING BOARD WHEN NECESSARY

Mr. Callaghan reported that the Hearing Board members and Staff had met and that an agreement was reached. Mr. Powell stated that the agreement reached by Staff and Hearing Board members was that the Air Pollution Control Officer would transfer the amount of \$1000 from one of the Hearing Board accounts to the Hearing Board account set for professional services; that the Air Pollution Control can make the transfer without Board approval, but that said transfer would be reported to the Board; that the Hearing Board after deciding that they need independent representation and obtaining the required information can present this information and request approval from the Chairperson of the Board to spend the money; that in the event that more than the \$1000 would be needed, the Hearing Board can request approval from the Board to obtain more funds.

Mr. Kenneth Manaster
Hearing Board

stated that the agreement represented the Hearing Board's request; that it is their intention not to hire any one prior to the time before the actual need arises; he stated that the Hearing Board plans to contact a number of attorneys in various parts of the District to see whether they would be willing to consider representing the Hearing Board when and if the need arises.

In discussion, Mr. Callaghan stated that he would make a report to the Board transferring \$1000 to a Hearing Board account to provide legal representation for the Hearing Board when necessary.

Mrs. Koehler moved the Board approve the understanding which Mr. Powell described; and that the Air Pollution Control Officer transfer the \$1000 from a Hearing Board account into the account provided for professional services; seconded by Mr. Doetsch; carried.

REPORT OF EXECUTIVE COMMITTEE

Chairperson Chapman reported that the Executive Committee met prior to the Board meeting and that it took action to authorize the continuance of the contract with Mr. Gerald Desmond, Legislative Advocate; that it discussed the renegotiation of the lease of the Redevelopment Agency and that it heard a report from Mr. Paul Brand of P.I.&E.

DISCUSSION OF DRAFT ENVIRONMENTAL MANAGEMENT PLAN

Chairperson Chapman stated that action needed to be taken by the Board with respect to the position the District will take on the EMTF Plan and directing him as the representative of the Board of Directors to make that position known to ABAG.

Mr. Callaghan called attention to his memorandum dated, December 29, 1977, entitled, Air Quality Maintenance Plan.

Mr. Feldstein reviewed a chart entitled "Optimistic" Estimates of Hydrocarbon Reductions from Alternative Control Programs, undated, stating that of the four elements contained in the AQMP the stationary source control needed to be considered by the District as this control would be under the jurisdiction of the District if the plan is adopted. He reviewed the stationary source control in terms of the amount of hydrocarbon reduction that would be achieved by the control, the cost of each control as developed by the AQMP Staff and the problems that would arise in adopting the regulatory requirements. Mr. Feldstein pointed out that the AQMP at the present time only concerns the oxidant standard, that it does not include a program relative to carbon monoxide, sulfur dioxide, nitrogen dioxide or particulate matter. He pointed out the attainment and non-attainment status of the District relative to these standards, stating that it is his understanding that these standards will be addressed at a later time as the AQMP is designed to meet all the air quality standards. He presented and reviewed a chart entitled Air Quality Standards, pointing out the District's attainment and non-attainment status for Oxidant, Particulate Matter, SO₂, NO₂, and CO; that of these contaminants the District is an attainment area as of 1977 for SO₂; for Particulate Matter the District is an attainment area under the Federal 24-hour Standard only; for NO₂ the District is an attainment area only under the Federal Standard. He pointed out that the District is a non-attainment area for Oxidant, for CO, and for Particulate Matter under the State Annual Standard and for NO₂ under the State Standard; that this indicated that additional work needed to be done by the AQMP and EMTF Staff if the Plan is going to meet and maintain all of the standards the District is subject to

Mr. Feldstein presented a summary chart entitled, Hydrocarbon Emission Reductions, undated, containing the total hydrocarbon emissions reduction which would be achieved by each element of the Plan, emphasizing that the Plan is solely designed to meet the oxidant standard. He reviewed Actions I, II, III and IV of the Stationary Source Controls, stating Action III Use Best Available Control Technology (BACT) on new and existing hydrocarbon sources would be the most controversial one as it indicates that it would achieve 227 T/D reduction by 1985 and 339 by the year 2000. He called attention to the projected total emissions from Stationary Sources and Mobile Sources stating that of the total amount of 444 hydrocarbon emission reduction to be met by 1985, 391 come from stationary sources, and of the 828 projected by the year 2000, 684 come from stationary source control; that the need to achieve the oxidant standard is heavily placed on stationary source control.

Mr. Crouse in discussion stated that study was done on the economic and cost benefit impact employing the most vigorous and stringent regulation;

that the District Staff came up with 37 options that of these, six were considered as the main hydrocarbon reducing options which include the four stationary control actions in the AQMP, Mr. Crouse reviewed the cost and the oxidant to be reduced by the year 2000; stating the six options indicate about \$50 million dollars up to \$1 3/4 billion dollars for all the contaminants; that by the year 2000 the District could have spent about 1 or 2 billion dollars for organics; that this money would come from industry. In discussion, he stated that Action III, Best Available Control Technology would remove somewhere between 230 and 350 tons a day of hydrocarbon but that it is at a cost of about \$1000 to \$2000 per ton and that in some instances it could go as high as \$5000 to \$10,000 per ton removed.

In discussion, he stated that Action IV New Source Review, indicated a reduction of 64 T/D by the year 1985.

Mrs. Koehler inquired how many industries would be affected by BACT, Mr. Crouse responding that he used San Diego Air Pollution Control District's list to define BACT; that for organics and hydrocarbon only this often will mean closed systems or total vapor recovery; that the District is asking for vapor control above what was required in the past.

Mrs. Koehler inquired as to the assumptions the Staff made in the New Source Review, Action IV; if it included the recodified version of the New Source Review and the off-set, to which Mr. Crouse replied that on New Source Review and limited trade-off he referred to the present policy; that if the District puts in a New Source Review that is more stringent than the present one or one without a trade-off, there would not be much growth; that the one being considered by the ARB and the District allows a limited trade-off and as a result will increase the emissions so that the District will not get the emissions reduction shown.

On inquiry of Mrs. Steinberg, Mr. Crouse responded that the regulations being approved by the ARB will not be more lenient; that the 15 #/hr. requirement will not be increased; that under the NSR industries will have to use BACT.

In comments Mr. Callaghan advised that the District had not received a copy of what the ARB adopted for the District.

Mr. Cooper inquired if there were any industries waiting for the rule to be adopted in order to get permits, to which Mr. Feldstein replied that there were two or three companies who felt the only way they could get permits was by external trade-off. Chairperson Chapman stated that he would like to see quantitative information before the trade-off rule is discussed.

Mr. Crouse reviewed the cost and the life of the equipment using BACT.

There was discussion on the Mobile Source Controls, Mr. Feldsteing explaining that it was the opinion of EMTF that by the year 2000 technology will be so advanced that reductions will be greater than projected. Mrs. Koehler pointed out that ABAG in forecasting this limit contacted people within the State who were knowledgeable and that that was how the estimated figure was arrived at.

Alvin James
ABAG

commented on Mobile Source Controls.

Mrs. Koehler expressed concern about the New Source Review as to the implementation, and the stringency.

Mr. Feldstein presented a chart entitled, Figure 21, Relative Roles of New Source Review/Indirect Source Review Programs and the Comprehensive Strategy in Achieving and Maintaining the Federal Oxidant Standards in the San Francisco Bay Region.

Chairperson Chapman inquired as to how the NSR would be implemented, Mr. Feldstein explaining that this presently would be under the leadership of ABAG, but that the District is requesting that this be changed to the District as the District has the authority to adopt a regulation.

After further discussion, Mrs. Steinberg inquired as to how the Staff feels about the four actions under the stationary source controls and if these controls appear to be actions that the District can deal with. Mr. Feldstein explained that the Actions will be included in the State Implementation Plan and that the Board can adopt these Actions, that in the terms of whether these Actions are reasonable or feasible, that there will be costs and some inequities; that public hearings will be held at which comments as to the problems will be made.

After further discussion, Mr. Cooper stated that he felt that Staff was taking for granted Figure 21 presented by ABAG; and requested Staff to obtain further information as to how the graph was prepared and the assumptions indicated thereon.

Chairperson Chapman requested Staff to obtain information about the ABAG graph and report to the Board for discussion.

Mr. Feldstein in comments stated that Staff stands behind Actions I, II and III; that there are some doubts as to Action IV Mobile Sources.

Chairperson Chapman stated that he would present these comments to EMTF; that Action IV was the only one on which there was concern; and requested Staff to prepare the information necessary to justify the different positions and report to the Board for its consideration.

Chairperson Chapman requested Staff to prepare a report on how BACT can be incorporated in Actions I, II and III in the Mobile Source Section of the AQMP recommendations and submit to the Board for consideration.

REPORT ON SOCIAL SECURITY

Mr. Callaghan reviewed his report, Social Security - Board Referral No. 20 dated, December 28, 1977. He stated that the Social Security Act is going to drastically increase the cost to the employee and employer; that he felt it was important to again review this matter.

Mr. Cooper suggested that this matter be referred back to the Personnel Committee together with a complete report of the assumptions made on this matter by the Consultant hired by the District with respect to the matter, and Chairperson Chapman so ordered.

REPORT OF THE AIR POLLUTION CONTROL OFFICER

Chairperson Chapman advised that the Executive Committee will review the type of legislation necessary to change the name of the District to coincide with that of the South Air Quality Management District and also with respect to allowing the District to impose an emissions tax. He requested the Staff to provide reports thereon.

Division Monthly Reports

The following reports were presented: Director of Enforcement Monthly Activity Report for December 1977; Director of Technical Services Monthly Activity Report, November 24 through December 21, 1977; Director of Engineering Services Monthly Activity Report, November 21, 1977 to December 20, 1977; Director of Public Information Monthly Activity Report, November 26, 1977 - December 23, 1977; Status of Legal Matters, November 22, 1977 - December 22, 1977; Controllers Appropriation Statement and Cash Position, November 30, 1977.

COMMUNICATIONS

Richard Oliver, Secretary

The following communications were received:

William H. Lewis, Jr.
Executive Officer
Air Resources Board
Sacramento, CA

advising that the District's final subvention application (No. 90-77-78) has been approved and enclosing their Executive Order No. J-260.

Oakland Council for
Economic Development

enclosing a copy of a Resolution which urges that the California Air Resources Board reconsider its ruling with regard to the paint industry and requesting that an "Economic Impact Study" be conducted on this rule to determine the potential loss of industry and employment, as well as the results which can be expected from this rule. Also requesting that "Economic Impact Studies" of other rulings which are considered by the ARB with regard to improving the environmental quality of the State be conducted to consider primary employment loss; and secondary implications to both the economic and employment bases of California.

Andy C. Wheatley
Director
Control Strategy Division
Austin, Texas 78758

requesting that a copy of the Air Quality Maintenance Plan staff has prepared for inclusion in a draft Environmental Management Plan and a copy of any related document be mailed to him.

Gary L. Crawford
Surveying Supervisor
Public Works Department
Fairfield, CA

enclosing Notice of Filing, and documents concerning City of Fairfield Storm Drain Facilities, Sewer Facilities, Water Facilities and Municipal Park Improvement for District No. 1 of the City of Fairfield.

Marjorie W. Evans
Attorney at Law
Palo Alto, CA

acknowledging Mr. Chapman's invitation to her to meet with the Executive Committee of the Advisory Council and the Executive Committee of the Board of Directors on February 1, 1978 also enclosing a copy of her letter to Mr. Marshall A. Kent, Chairman of the Advisory Council inviting the Advisory Council to meet with her.

Sherman Landau
Chief, Governments Division
Bureau of the Census

enclosing census form and requesting information of financial transactions and employment.

Mr. Robert B. Yoshitomi
Lillick McHose & Charles
Representing Shell Marine (U.K.) Ltd.

stating that Shell Marine (U.K.) Ltd., would like to be heard on any discussion with respect to the enactment of regulations pertaining to oil tanker lightering and enclosing a copy of the comments submitted by Shell Marine (U.K.) Ltd. to the CARB when these regulations were under CARB's consideration. Also requesting to be placed on mailing list to receive District's notices, announcements and public declarations.

OTHER

Chairperson Chapman reported that the Ad Hoc Committee on Planning Process which includes Directors serving on ABAG would meet today after the Board of Directors meeting.

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Chairperson Chapman advised that Dr. Cullen had been replaced by Supervisor Barbara Boxer. Dr. Cullen in comments stated he regretted he was not able to participate on ABAG's Air Quality Management Plan and the other activities the Board is involved in, and suggested that the process for selecting Directors be more democratic rather than political, he requested he be allowed to continue being a liaison representative for the Board to the Advisory Council.

Ms. Tirsell requested that Staff prepare an appropriate resolution for Dr. Cullen.

Mr. Bacciocco requested that Dr. Cullen be considered for the next vacancy on the Advisory Council.

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The following reports were presented:

Summary of Actions Taken, December 21, 1977 dated
December 27, 1977.

Board and Executive Committee Referrals dated December 29, 1977.

TIME AND PLACE OF NEXT MEETING

10:00 A.M., Wednesday, January 18, 1978, 939 Ellis Street, San Francisco, CA.

The meeting adjourned at 12:00 P.M.

Respectfully submitted,

Mabel Harder,
Secretary

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BAY AREA
AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS

REGULAR MEETING

Wednesday
January 18, 1978
10:00 a.m.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT: Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch, James P. Kenny, Ruth Koehler, Elwon Lance, Marquerite Leipzig, James Lemos, Daniel A. McCorquodale, Richard Oliver, Charles Santana, Geraldine Steinberg.

BOARD MEMBERS ABSENT: John Molinari, Gerald Poznanovich, Peter Tamaras, Helen Tirsell.

ADVISORY COUNCIL
MEMBERS PRESENT: Marshall A. Kent, Chairperson; Robert J. Debs, Philip Roth.

STAFF MEMBERS PRESENT: D. J. Callaghan, Thomas F. Bell, Hulan F. Brinkley, Warren R. Crouse, Milton Feldstein, Donald A. Monaghan, Edward W. McHugh, John F. Powell, Mabel Harder.

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JAN 31 1978

UNIVERSITY OF CALIFORNIA

Chairperson Chapman called the meeting to order at 10:10 A.M.

APPROVAL OF MINUTES OF DECEMBER 21, 1977
AND JANUARY 4, 1978

The Minutes were not available.

CONTINUATION OF EXECUTIVE COMMITTEE REPORT
Sam Chapman, Chairperson

Mr. Chapman reported that the Committee recommended the renewal of the contract with Mr. Gerald Desmond, Legislative Advocate, in amount of \$15,000. Dr. Lance so moved; seconded by Mr. McCorquodale; carried on roll call:

| | |
|---------|--|
| AYES: | BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH, KENNY, KOEHLER, LANCE, LEIPZIG, LEMOS, McCORQUODALE, OLIVER, SANTANA, STEINBERG. |
| NOS: | NONE. |
| ABSENT: | MOLINARI, POZNANOVICH, TAMARAS, TIRSELL. |

REPORT OF PERSONNEL COMMITTEE
Helen Tirsell, Chairperson

In the absense of Ms. Tirsell, Mrs. Koehler advised that the Committee met prior to the Board meeting to discuss the Health Plans; that Blue Cross will not renew its contract in July because of the cost and the number of employees presently in the plan; that other plans were presented, including the Meyers Geddes PERS; that the Committee felt the PERS Plan offers the best benefits to the District but that a recommendation was not being made at this time.

Mrs. Koehler stated that it was the recommendation of the Committee that the period of the Meet and Confer session be April through June during the year 1978, and she so moved; seconded by Mr. Kenny; carried.

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Chairperson Chapman welcomed Supervisor Barbara Boxer from Marin County, replacing Dr. Cullen on the Board.

REPORT OF ADVISORY COUNCIL
Marshall A. Kent, Chairperson

Mr. Kent reviewed his report, Report of Advisory Council, dated January 18, 1978, advising that members of the public had not had an opportunity to present its views to the Public Health Committee or Advisory Council on the recommendation of the Council.

In discussion on the report, Status of Recodification of Regulations, dated January 13, 1978, Mr. McHugh advised that the new draft of Regulation 4 will be submitted to the Council by the end of the week; new draft of Regulation 5 will be ready in 3 weeks; with respect to Regulation 3, after the Board takes action on the New Source Review, the changes will be incorporated.

Mr. Callaghan suggested that public hearings not be set until the Board has received all the Regulations because they intermingled

Jim Dehnert
Chairman
BALIA Air Resources Committee

Presented a written statement with respect to the Council's recommendation on SO₂ Emission Limits, dated January 17, 1978, pointing out they felt the 300 ppm limitation was unnecessarily restrictive and that industry had little opportunity for input, and requesting that the matter be referred back to the Advisory Council.

In discussion, Mr. Callaghan advised that both EPA and ARB are interested in a lower upper limit than the District presently has and that the ARB is concerned about a mass emission rate; that the Staff intends to meet with them with respect to their rationale for a number; that 300 ppm could be met but there was concern about the time element in which to comply; that the Staff would meet with the ARB as quickly as possible because this was a high priority item.

Mr. Feldstein advised that the Technical Committee of the Council has been considering this also and has asked for additional modeling data and additional justification for a change in the present Regulation; that the limitation in the South Coast Air Quality Management District is 500 ppm; that 300 ppm was designed to be achieved by present available technology.

After further discussion, Mr. Cooper moved that the Advisory Council give the interested industry at least a half hour hearing at the next meeting of the Advisory Council; seconded by Mr. Kenny.

In discussion, Mr. Callaghan suggested the Council meeting be held after a mass emission rate has been established, Mr. Cooper responding that he did not want to put a time limit on when the matter should be considered by the Council. Discussion then ensued on the time limit, after which Mr. Cooper added to his motion: that the Board receive a Progress Report from the Staff if the matter is not back in two months.

In discussion, Mr. Chapman stated he would oppose the motion because it was referred to the Council over a year ago at which time the Board expected a report in at least 6-12 months; that industry could address the Board at a public hearing.

On inquiry from Dr. Lance, Mr. Kent responded that there were separate mailing lists and only that for the Public Health Committee was used; that in order to have any meaningful discussion, specific regulatory language should be developed by the Staff.

Mr. Powell pointed out that 30 days published notice must be given, as well as 30 days advanced notice to the ARB and suggested the Council could have its meeting during that period.

Philip Roth
Member, Advisory Council

Called attention to the Minority Report; Opposition to the "Recommendation of Sulfur Dioxide Emission Limitation", dated January 16, 1978, stating that time was needed to work with the Staff to determine the relationship between emissions and air quality that would result and that time was needed for this period.

After further discussion, Mr. Cooper amended his motion to read:

That the Board request the Advisory Council to have at least one half hour hearing on this subject prior to the public hearing whenever the language is prepared which was acceptable to Mr. Kenny.

In discussion, Mrs. Boxer suggested the Staff be directed to draft appropriate language as soon as possible after conferring with the ARB, and in the 30 days published notice; that the matter be referred to the Council, during which time they could hold a meeting on it. Mr. Oliver suggested that a specific date be set to receive the draft language, to which Mr. Callaghan responded that 60 days would be adequate time.

Mr. Cooper amended his motion again to read:

Request the Advisory Council to give industry concerned one half hour hearing prior to the Board hearing; that the Staff bring it to the Board to schedule a public

hearing in 2 months, or give a Progress Report which was acceptable to Mr. Kenny; carried.

REPORT OF ENVIRONMENTAL MANAGEMENT TASK FORCE

DISCUSSION OF PROPOSED MEMORANDUM OF UNDERSTANDING WITH ABAG

Chairperson Chapman reported that EMTF met last week and received the entire draft of the report and that the public hearing process has begun; that a proposed statement of agreement between the District, MTC, and ABAG, which will form a basis for a Memorandum of Understanding between the three agencies has been developed; that the agreement was presented to EMTF and was generally concurred in; that it would be presented today, as contained in the APCO's report, Principles of Proposed Memorandum of Understanding with ABAG on Continuing Planning Requirements, dated January 11, 1978, for ratification by the Board.

Mr. Feldstein reported on the meeting between himself, and representatives from ABAG and MTC stating that it was agreed that the statutory authority which exist for the District and MTC would not be usurped by ABAG, who agreed to recognize that authority; that the Principles are to be reviewed by the MTC Board and ABAG's Executive Committee; that the actual language of a MOU would be presented to the Board.

In discussion, Mr. Feldstein stated that the MOU would clearly spell out the allocation to the various agencies.

Mr. Cooper expressed concern about the Principles being suggested, stating he wanted a temporary process for implementing the Plan; that Staff was ignoring what EMTF agreed to; that some people are not in agreement with the concept of a two year limitation; that he felt the people who served on EMTF and ABAG should be elected officials; and that he was going to do everything possible to make sure that the MOU was not permanent.

After further discussion, Mr. Cooper moved that the Board approve the document, Statement Regarding Continuing Planning Requirements and Responsibilities for Non-Attainment Areas Under Clean Air Act as Amended, dated January 5, 1978, in principle; and instruct the Staff that the Memorandum of Understanding should include a limit of a maximum of two years on a MOU, and the requirement that the issues of what the permanent agency shall be and annual review and implementation be directed to the ABAG General Assembly and EMTF; seconded by Mrs. Koehler.

In discussion, Mr. Cooper stated the purpose of his motion was that of a caretaker approach until the Legislature make some changes; that his motion was to put a two year limit on the MOU until the ABAG General Assembly approve it as permanent or determines what the approach should be.

The motion carried.

THE HEARING BOARD QUARTERLY REPORT

Mr. Callaghan advised that he had received a communication from the Hearing Board to advise that its quarterly report would be made February 1, 1978.

PUBLIC HEARING TO CONSIDER REVISIONS TO REGULATION 3, DIVISION 3, CONCERNING STORAGE OF ORGANIC LIQUIDS

Mr. Callaghan called attention to his reports entitled, Public Hearing on Proposed Amendments to Regulation 3, Storage of Organic Liquids, dated January 11 and January 13, 1978, and to the corrections thereto contained in his report dated January 18, 1978, pointing out that there were now 2 proposals, that of the Staff and that of the ARB.

Mr. Feldstein outlined the differences between the ARB and Staff's proposals relating to Riveted Tanks and the time in which they have to come into compliance and with respect to the certification of the gaps by industry as required by the District's proposal. He advised that the Staff will inspect the primary seal and that when the secondary seals are installed industry will be required to certify them; that the Staff would inspect the gap requirement on the primary seal every five years and has assured the ARB that it would determine that the primary seal is correct.

In discussion, Mr. Feldstein explained the differences between welded and riveted tanks; that the Staff has not set a policy on the frequency of spotchecks of the secondary seals; that the major Staff objection to inspecting the secondary seals is the cost of about \$75,000 since it would require additional personnel, and safety equipment to inspect the 700 tanks; that it was not the intent of the ARB or Staff proposal that industry should replace its riveted tanks because if a company can show to the satisfaction of the APCO that the emissions after installation of the double seal are equivalent to welded tanks they would be deemed in compliance; that wind affects the emissions from the tanks so that consideration is being given to installing a wind screen; that after discussion with American Bridge and Iron Company who did a study on the riveted tanks, it is not anticipated that any of them will have to be replaced; he reviewed the

effective dates for the various requirements as contained in the proposed regulation pointing out that by 1980 if welded tanks do not come into compliance they would have to be replaced; that 10% of the 700 tanks are riveted; that it would cost \$25-30,000 to install the secondary seal on all tanks; that reduction in organics would be about 15 T/D.

Chairperson Chapman opened the public hearing at 11:35 a.m.

Mr. Powell presented the Secretary with 9 Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Alan Goodley
Chief of Energy Branch
ARB

In comments stated that the ARB staff has some concern about the modifications made to its rule but that it was not felt they were substantial enough to cause them to oppose the rule and he recommended that the Board adopt the Staff's proposed regulation.

In discussion, Mr. Goodley stated that there were no rules similar to that being proposed except in the South Coast Air Quality Management District; that the ARB Model Rule has been sent to each district in the state asking that they adopt it; that the ARB adopted the rule for the South Coast District August 15, 1977; that the ARB will spot check tanks in the District from time to time.

Forrest Bottomley
Chairman, Bay Area Technical Subcommittee
WOGA

Presented a written statement dated January 18, 1978, expressing concern about the change in the Advisory Council's position.

Jack D. Fudge
Attorney at Law
Representing WOGA

In comments stated he knew of no data which justified the ARB criterion, as indicated by the Council in its report; that the data presented to the ARB had been generated by industry through the CB&I Report; that he did not know how the 15 T/D reduction was arrived at since no one knows how to accurately measure emissions from floating roof tanks, and questioned whether there had been due process of law in connection with the

recommendation, pointing that they had not seen the ARB data referred to by the Council; that the Board should not do what the ARB tells it to without regard to scientific basis.

In discussion, Mr. Feldstein advised that the basic difference between the original Council recommendation was the requirement that there be a 1/8" gap for an accumulated limit of 95% of the circumference of the tank; that the Staff and ARB's proposal is a 1/8" gap on 60% of the circumference; that at a meeting between ARB representatives, Dr. Lynn and himself there was discussion on the relationship between the gap on primary seals and effectiveness of control after the shoe seal is installed; that most of the tanks in the South Coast Basin and the District meet the 60% - 1/8" requirement; that all the data was made available during the discussions in Los Angeles when ARB adopted the rule.

Dr. Bacciocco left at 12:00 p.m.

Mr. Goodley advised that the representatives of WOGA and Mr. Fudge were present at most of the ARB meetings; that the data presented to Dr. Lynn was also available to the industry prior to the ARB's public hearing on the matter.

Mr. Cooper suggested the public hearing be continued and that the Staff and Council Technical people meet with WOGA, inviting EPA representatives to be present to submit their information; that regardless of what the ARB did, the District should have the best rule possible.

There was further discussion on the fact that the industry had all the information available, Mr. Feldstein advising that the data shows a need for a tight gap on the primary seal.

Mr. Fudge pointed out that data was based on gap measurement at only one roof level; that there is no assurance that at different roof levels the requirement can be met.

Mrs. Boxer was opposed to continuing the public hearing, pointing out the Council and the Staff agreed on the proposed regulation. Mrs. Koehler also spoke in opposition in continuing the public hearing.

After further discussion, Mr. Cooper moved to continue the matter for one week for a meeting between the Advisory Council Technical people, the Staff, WOGA, and inviting ARB and EPA representatives; seconded by Mr. Leipzig; carried on roll call:

AYES: COOPER, DOETSCH, KENNY, LANCE, LEIPZIG,
LEMON, SANTANA.
NOS: BOXER, CHAPMAN, KOEHLER, MCCORQUODALE,
OLIVER, STEINBERG.
ABSENT: BACCIOCCO, MOLINARI, POZNANOVICH, TAMARAS, TIRSELL.

In further discussion, Mr. Goodley advised that gaps in the primary seal will be required to be met at all levels of the roof.

Larry Coleman
Chevron U.S.A.

In response to questions advised that the cost for a tank measuring as large as a football field is \$6-10MM; that cost data could be submitted and Chairperson Chapman requested that the data be sent in a letter.

Chairperson Chapman stated the matter will be the first item on the agenda for the meeting of January 25, 1978, at 9:00 a.m.

Dr. Robert Russel
Chairman, WOGA Task Force

Presented a written statement dated January 18, 1978.

CONTINUED DISCUSSION OF ENVIRONMENTAL MANAGEMENT PLAN

Chairperson Chapman requested the Staff to recommend to the Board on February 1, 1978 the position the Board should take on EMTF, with whatever appropriate information the Staff feels the Board should be aware of, and specifically it should be directed to Air Quality Maintenance. On inquiry from Mr. Cooper, he stated that if members in the public wish to comment on the recommendations they would be given an opportunity and that it would so noticed on the agenda.

COMMUNICATIONS Richard Oliver, Secretary

The following communications were presented:

William H. Lewis, Jr.
ARB

Proposed Model for the control of emissions from lightering operations.

Gilbert H. Boreman
Clerk of the Board
City and County of San Francisco

Copy of Special Vacancy Notice, with respect to Supervisor
Peter Tamaras' term on the District Board

ABAG

Notice of EMTF Public Participation Committee Meeting on
January 11, 1978.

Francheon Christner
Co-convenor
Gray Panthers of
West Contra Costa County
and
Jean B. Siri, President
West Contra Costa Conservation League

Copy of letter to Contra Costa County Board of Supervisors with
respect to the EPA grant for an air pollution cancer study in
Contra Costa County.

Thomas C. Austin
Deputy Executive Officer - Technical
ARB

Copy of letter to D. J. Callaghan with respect to the Amended
New Source Review Rule.

Sara Conner, President
League of Women Voters of the Bay Area

Copy of letter to Governor Brown regarding the Certification of
agency to plan implementation of the Air Quality Maintenance Plan

Supervisor Gerry Steinberg
Santa Clara County

copy of letter to Marjorie W. Evans, ARB, regarding a meeting
with her and the Executive Committees of the Board of
Directors and Advisory Council on February 22, 1977.

OTHER

Adopted Resolution No. 1047, In the Matter of Expressing the Appreciation of the Board of Directors of the BAAPCD to Stuart C. Cullen, M.D. for his Services, on motion of Mr. McCorquodale; seconded by Mr. Kenny; carried on roll call:

| | |
|---------|---|
| AYES: | BOXER, CHAPMAN, COOPER, DOETSCH, KENNY, KOEHLER, LANCE, LEIPZIG, LEMOS, MCCORQUODALE, OLIVER, SANTANA, STEINBERG. |
| NOS: | NONE. |
| ABSENT: | BACCIOCCO, MOLINARI, POZNANOVICH, TAMARAS, TIRSELL. |

- - -

Mr. Callaghan reported on AB-1671 (McAllister) - requiring economic and social effects report on regulations adopted by the District, pointing out that it was defeated in the Assembly Committee.

Mr. Callaghan called attention to AB-938 (Russell) - requiring economic and employment effects, stating it passed the Senate Government Organization Committee and would be heard by the Senate Finance Committee tomorrow and requested direction with respect to the Board's position on the bill.

In discussion, Mrs. Koehler suggested waiting until cost data was available and the matter was before the Assembly.

Mr. Cooper moved that the Board go on record supporting AB-938 subject to sufficient dollars being included in the appropriation; seconded by Mr. Kenny.

Mrs. Boxer moved a substitute motion that the Board wait until the economic data is available before taking a position on AB-938; seconded by Mr. McCorquodale; carried on roll call:

| | |
|---------|---|
| AYES: | BOXER, CHAPMAN, DOETSCH, KOEHLER, MCCORQUODALE, OLIVER, STEINBERG. |
| NOS: | COOPER, KENNY, LANCE, LEIPZIG, LEMOS, SANTANA. |
| ABSENT: | BACCIOCCO, MOLINARI, POZNANOVICH, TAMARAS, TIRSELL. |

Mr. Cooper and Mr. Lemos left at 12:30 p.m.

TIME AND PLACE OF NEXT MEETING

9:00 a.m., Wednesday, January 25, 1978, 939 Ellis Street,
San Francisco, California.

The meeting adjourned at 12:30 p.m.

Respectfully submitted,

Mabel Harder
Secretary

MH/rbz

A/581

2

BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS

SPECIAL MEETING

Wednesday
January 25, 1978
10:00 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT: Edward J. Bacciocco, Jr., Barbara Boxer,
Sam Chapman, Fred F. Cooper, Ralph P.
Doetsch, Sr., James P. Kenny, Ruth
Koehler, Elwon Lance, Marguerite Leipzig,
James Lemos, Daniel A. McCorquodale,
John L. Molinari, Richard Oliver,
Gerald M. Pozanovich, Charles Santana,
Helen Tirsell.

BOARD MEMBERS ABSENT: Geraldine F. Steinberg, Peter Tamaras.

ADVISORY COUNCIL
MEMBERS PRESENT:

Robert J. Debs, Jack C. Oppenheimer.

STAFF MEMBERS PRESENT: D. J. Callaghan, Thomas F. Bell, Hulan
F. Brinkley, Thomas R. Crawford, Warren
R. Crouse, Milton Feldstein, Richard W.
Grieves, Terry Lee, Dario A. Levaggi,
Donald A. Monaghan, Edward W. McHugh,
John F. Powell, Mabel Harder.

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UNIVERSITY OF CALIFORNIA

Chairperson Chapman called the meeting to order at 9:20 A.M.

CONTINUATION OF PUBLIC HEARING TO CONSIDER REVISIONS TO REGULATION 3,
DIVISION 3; CONCERNING STORAGE OF ORGANIC LIQUIDS

Mr. Feldstein reported that he, Dr. Lynn, representatives from WOGA, and ARB, met yesterday.

Messrs. Lemos and Oliver arrived at 9:21 A.M.

Mr. Feldstein, by means of a slide, showed a diagram of the shoe seal stating the controversy revolves around whether or not the gap requirements on the primary seal are important, because it is the secondary seal that determines the rate of emission from the tank; that at the meeting, ARB presented data that in their opinion, based on inspection of several hundred tanks, if the strict gap criteria on the primary seal were adhered to, the condition of the shoe seal was good and performing its function; that in their inspections where it was found there was not a 1/8" gap, the shoe seal did not have integrity for the emissions; that there was agreement that it was not the gap that was so important but rather the integrity of the shoe seal; that an alternate test of pressure leak rate was discussed and decision made that it would not be used; WOGA expressed the desire to work on another method to determine the integrity of the shoe seal without being limited to the strict gap requirements; that during inspection one out of 39 tanks was found to be in non-compliance and that to repair the shoe seal might cost from \$10,000 - 100,000.

Mr. Feldstein stated that the Staff recommends that the compliance date for bringing primary seals into compliance be extended to June 1, 1978; that between now and June 1, Industry and Staff will work together to determine whether there is a viable alternative suitable to the ARB, Staff and Industry; that the Board could reconsider the gap criteria prior to June 1 if a procedure is worked out; that Dr. Lynn was in agreement with the Staff's proposal.

Mr. Feldstein called attention to the correction sheet entitled, Public Hearing on Amendments to Regulation 2, Storage of Organic Liquids, dated January 18, 1978 requesting an addition thereto, to read: Primary gap seals must be in compliance by June 1, 1978.

Chairperson Chapman opened the public hearing at 9:32 A.M. The following made presentations:

Jack D. Fudge
WOGA

In comments stated the original concern was the difficulty of the riveted tanks meeting any strict gap criteria; that tests indicated that the size of the gap was not significant; that there was no correlation between emissions and the gap size and he explained the reasons therefore, pointing out the ARB ran tests on 1 1/2" gap and there was no significant difference in emissions.

Robert Russell
Chairperson
WOGA Task Force

In comments stated that there was no correlation between gap size in the primary seal up to and including $3/4 - 1\frac{1}{2}$ " gap 100% of the circumference.

Mr. Fudge advised that there was no data that supported the statement that the gap criteria can be met because when the roof is moved up and down this may not be true; that if a third seal would be required to be installed, it would be necessary to determine the cost-effectiveness of such a seal; that generally a better seal is obtained with a secondary seal because it can more readily form itself to a curved surface; that the primary seal serves a dual purpose because it also serves to center the roof; that EPA has recently published a guideline for the proposed rule based on data in studies done by WOGA, which does not recommend any primary seal gap criteria.

Dr. Bacciocco arrived at 9:55 A.M.

Mr. Santana stated he did not feel there was sufficient data on the matter and suggested that only a certain number of tanks be required to have a secondary seal on which tests could be conducted and more information then acquired.

Mr. Feldstein pointed out that it was agreed that the condition of the shoe seal is vital; that the staff recommends a less stringent requirement for riveted tanks than the ARB, which was another reason for the Board to adopt the Staff's recommendation rather than allowing the ARB's regulation to go into effect.

On inquiry from Mrs. Boxer, Mr. Fudge stated that the ARB did not question the conclusion that there was no connection between the gap criteria and emissions. Mr. Feldstein advised that the ARB rule was now in effect in the South Coast Air Quality Management District; that EPA's guidelines are not finalized; that the Staff's position is that there is no data presented by the CB&I and WOGA indicates a gap criteria on the primary seal is not needed; that before the date of compliance an alternative method for determining the integrity of the shoe seal can be proposed and the regulation amended accordingly.

Mr. Powell pointed out that when the ARB held its public hearing on the matter, no one from industry made objection to the regulation. There was discussion on whether the ARB needed to have another public hearing in order to adopt the regulation for the District, Mr. Powell pointing out that the hearing held by the ARB on the matter was considered the public hearing and that the ARB Executive Officer has been delegated the authority to adopt a regulation for the District unless the District adopts one satisfactory to them. Mr. Fudge advised that objections were raised to the ARB which was part of the administrative record; that the matter of the criteria had been under discussion for $1\frac{1}{2}$ years; that oral testimony before the ARB at its hearing on October 28, 1977 was not given because of the debate that had been going on; that a written presentation

was part of the record. On inquiry from Dr. Lance, Mr. Fudge stated that as the data became available, it was presented to the ARB; that ARB continued to require the gap criteria regardless of the data; that it dropped the leak rate test proposal after tests were run.

On inquiry from Dr. Lance, Mr. Feldstein stated that although the data to support strict gap requirements does not necessarily show that the emissions are related to the gap requirement, ARB's position is that if the gap requirements are met, the integrity of the shoe seal is met.

Karl A. Grossenbacher
Gray Panthers
West Contra Costa County

Inquired as to the quantity of emissions being reduced and as to what was meant by "significant", to which Mr. Feldstein responded that the regulation would reduce hydrocarbons 15 T/D. Mr. Grossenbach stated that it was necessary to show the integrity of the shoe seal, which was done by the primary seal; he also spoke to the matter of the sun side of a tank increasing the hydrocarbon emissions.

Robert Russell

Spoke on the technical aspect, stating there was no scientific data to support the position of a primary gap criteria and that at the meeting held yesterday, ARB presented no further data; that the EPA proposal indicates there is no need for two gap criterion; that the secondary gap criteria cannot be met unless the primary seal is in effect, and he recommended that the primary seal gap criteria not be included in the regulation.

Dr. Lance referred to the Advisory Council reports presented on January 18, 1978, and read therefrom with respect to the additional data presented and requested that the Board be furnished a copy of the data. Mr. Feldstein stated that the data was based on Mr. Morgester's inspection data of 400 tanks which indicated areas where they found that meeting the cutoff gap requirement indicated the shoe seal integrity.

Dave Ailor
ARB Engineering Staff

In comments stated that on October 19, 1977 a public hearing was held by the Advisory Council Technical Committee at which they were presented the CB&I reports and data; that a further meeting was held with Chairperson Lynn of that Committee at which further data was presented.

In discussion, Mr. Ailor advised that the ARB had considered the data presented by industry.

Mr. Cooper arrived at 10:45 A.M.

Mr. Feldstein reviewed the gap criteria required in the proposed regulation, pointing out it allowed variable gaps; and he reviewed the data presented in the CB&I report.

Jim Dehnert
Environmental Director
Lion Oil Company

In comments expressed concern about the compliance schedule, stating they had 28 tanks on which a secondary seal would have to be installed; that 56 have to be rebuilt or modified; that it would be impossible to meet a July 1, 1979 date for full compliance and requested an additional year, otherwise a variance would have to be sought.

Forrest Bottomley
Supervisor of Environmental Engineering
Union Oil Refinery

Presented a written statement, dated January 18, 1978 requesting a change in the final compliance date to January 1, 1980, pointing out that they had 42 tanks on which secondary seals would have to be installed, which would take one week per tank.

Mr. Molinari arrived at 11:05 A.M.

Mr. Feldstein in commenting on industry's request for additional time for compliance, advised that the District's proposal was similar to the proposal of the ARB's, that many companies in the South Coast Basin did have to seek a variance.

Mr. Grossenbacher pointed out that there was no specification for frequency of inspection; that extra rollers could be put on the primary seal which would hold the roof.

Chairperson Chapman closed the public hearing at 11:10 A.M.

Mr. Feldstein summarized the proposed amendments to Regulation 3, dated November 21, 1977, and the corrections to be made thereto, dated January 18, 1978.

Mrs. Koehler moved the adoption of Resolution No. 1048, In the Matter of Amending Regulation 3 Relating to the Storage of Organic Liquids, as proposed by the Staff with the amendments; seconded by Mr. McCorquodale.

In discussion Mr. Feldstein stated it would be reasonable to give additional time for compliance in view of the installation difficulties in the South Coast Basin; Mr. Callaghan suggested the time be extended to November 1, 1978. Mr. Pozanovich supported the Staff's timetable stating that if industry finds it a problem to come into compliance another hearing could be held to extend the time, with which Ms. Tirsell agreed.

Mr. Cooper stated he was not prepared to vote on the primary gap criteria and requested that the motion be divided between the primary and secondary gap criteria. After discussion, Mr. Cooper moved that there be two sense motions, one on the issue of the

secondary seal and one on the issue of the primary seal; seconded by Mr. Kenny.

It was agreed that if the motion passed it would be necessary for the Staff to prepare exact language for the secondary seal criteria and primary seal criteria.

The motion failed on roll call.

AYES: COOPER, KENNY, LEMOS.

NOS: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, KOEHLER, LANCE, LEIPZIG, McCORQUODALE, MOLINARI, OLIVER, POZNANOVICH, SANTANA, TIRSELL.

ABSENT: STEINBERG, TAMARAS.

Dr. Lance moved an amendment to Mrs. Koehler's motion that the compliance with the primary seal be January 1, 1979; seconded by Mr. Santana; carried on roll call:

AYES: BACCIOCCO, COOPER, DOETSCH, KENNY, LANCE, LEIPZIG, LEMOS, MOLINARI, OLIVER, SANTANA.

NOS: BOXER, CHAPMAN, KOEHLER, McCORQUODALE, POZNANOVICH, TIRSELL.

ABSENT: STEINBERG, TAMARAS.

There was discussion on whether the ARB would accept the timetable Ms. Tirsell recommending the Staff gather data to support the date of January 1, 1979. Dr. Bacciocco stated that his vote was to give industry time to comply, not to weaken the regulation.

Mrs. Koehler's motion carried on roll call.

AYES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, KENNY, KOEHLER, LANCE, LEIPZIG, LEMOS, McCORQUODALE, MOLINARI, OLIVER, POZNANOVICH, SANTANA, TIRSELL.

NOS: NONE.

ABSTAINING: COOPER.

ABSENT: STEINBERG, TAMARAS.

Mr. Cooper stated that he was abstaining because he was not prepared to vote on the primary seal but was prepared to vote on the secondary seal.

Chairperson Chapman called the Regular Meeting to order at 11:25 A.M.

APPROVAL OF MINUTES OF DECEMBER 21, 1977,
JANUARY 4 AND JANUARY 18, 1978.

The minutes were not available.

PUBLIC HEARING TO CONSIDER ADOPTING REVISIONS TO
REGULATION 2 CONCERNING NEW SOURCE REVIEW PROCEDURES

Mr. Callaghan reviewed his report, Public Hearing on New Source Review Regulation, dated January 19, 1978.

Mr. Feldstein reviewed the regulation, by means of a chart entitled, Comparison of New Source Review Rules (NSRR), undated.

There was discussion on any differences between the proposed Staff rule and the present regulation as contained in No. 5 with respect to identifying non-attainment and attainment areas, Mr. Feldstein stating they were basically the same with respect to geography; Mr. Powell stating there were major differences in the language with respect to interference with maintaining the air quality standards, which he explained.

Dr. Bacciocco left at 11:58 A.M.

There was discussion on §§1311 and 1311.2. Mr. Powell reviewed the case before the Hearing Board, APCO v. STANDARD OIL COMPANY OF CALIFORNIA, pointing out that the Hearing Board order requires them to shut down two of their units by February 4, 1978.

The Board recessed for lunch at 12:15 P.M., and reconvened at 1:10 P.M. The following Directors were present:

BOXER, CHAPMAN, COOPER, KOEHLER, LANCE, LEIPZIG, LEMOS
OLIVER, POZNANOVICH, SANTANA, TIRSELL.

Mr. Feldstein reviewed a chart entitled, New Source Review Requirements of Applicants Present Rule.

Mr. Cooper requested Mr. Feldstein to provide an analysis for the Board on banking of pollutants, and Chairperson Chapman so ordered.

Mr. Cooper requested Mr. Powell to advise the Board at its next meeting whether it would be legal for the Applicant to come to the Board or Hearing Board for approval of 100% trade off if the Staff denied 120%, and Chairperson Chapman so ordered.

On inquiry from Mrs. Boxer, Mr. Feldstein reviewed the permit applications received in 1975, stating 246 were received of which 67 were over 25 # /hr and 142 were less than 15 #/hr; that most were granted permits.

Chairperson Chapman opened the public hearing at 1:30 P.M.

Mr. Powell presented nine Affidavits of Publication of Notice of Public Hearing to the Secretary.

The following made presentations:

Les Fife
ARB

Reviewed the differences between the ARB's regulation and that of the Staff's proposal in the areas of modified sources, BACT, interpretation of external inclusion.

There was discussion on the differences in interpretation between the Staff and ARB on the external inclusion under the present rule.

Ms. Tirsell left at 1:40 P.M.

There was discussion on the interpretation of "economically reasonable", after which Chairperson Chapman requested the Staff to provide an interpretation of what is a small business under §1896, Title 2, by the next meeting.

Mr. Fife pointed out that EPA requires that all sources owned by Applicants must be in compliance with a District's regulation or on an approved compliance schedule; that this was included in §1307.1.

In discussion on the replacement of plants, Mr. Fife pointed out that in order to get credit it would have to be shown that oxidants would be reduced in the area in which the plant is located. Mr. Feldstein stated that this was in the District's present regulation under §1311.

Mr. Cooper requested that Mr. Fife provide the Board with the justification for the ARB adopting the rule for the District when it did, and the names of the companies that were cited who could then use the rule.

Mr. Santana left at 1:55 P.M.

Mr. Fife advised that there was a report being prepared giving preliminary data on the application and implementation of the rule, and Chairperson Chapman requested he furnish this information and the experience to date in the South Coast Basin; the ARB's reason for rejecting banking; and if there are any instances in which the circumstantial rule had been used; that such information be presented to the Board at its meeting on February 1, 1978.

There was discussion on the ARB selection of the #/hr. rule, Mr. Fife advising this was the optimum level arrived at but that the District may want to lower the level in view of the number of permits issued.

Dr. Lance left at 2:00 P.M.

There was discussion on the ARB and District's Regulation with respect to the 15 #/hr. rule and whether a source would be automatically granted a permit without modeling if the emission were a certain amount.

Chairperson Chapman requested the Staff prepare a report giving a case example of applying the three different trade-off rules and furnish to the Board prior to its next meeting.

Mr. Poznanovich left at 2:11 P.M.

Chairperson Chapman requested Ms. Harder to provide the Board a

copy of the minutes of September 15, 1976 in which "significant" was discussed.

The following representatives of PG&E made a presentation:

Annette Green
Legal Department

R. Bruce Williams
Senior Civil Engineer

Reviewed PG&E's interest in the New Source Review Rule and how it would affect the firm.

Mr. Cooper and Mrs. Koehler left at 2:25 P.M.

M. Dean High
Consultant for PG&E
Engineering Sciences
Arcadia, California

Reviewed the guidelines for implementing the New Source Review Rule and requested the regulation be amended to allow local determination of attainment and non-attainment areas; that Applicant's modeling be acceptable in determining those areas; that some flexibility be allowed in off-sets; that the requirement of BACT was supported as well as the Staff definition of "source" under modified sources; and recommended the District retain some flexibility in defining baseline emissions; supported banking of pollutants; recommended the District provide for industrial and some power generation growth in its SIP revisions.

Ms. Green in comments spoke to the issues of proposed enforcement, time limitation, need to eliminate any conflicting provisions between ARB and District, particularly with respect to BACT; and proposed an amendment to §1311.3 (f) and a modification of §§1311.3 (b), 1311.3 (h).

Mrs. Leipzig left at 2:40 P.M.

Fran DuMelle
Bay Area Lung Association

Presented a written statement commenting on §§1311.3, 1311.3(j), 1311.32.

Chairperson Chapman requested Ms. Harder furnish a copy of Ms. DuMelle's statement to each Director.

Chairperson Chapman continued the public hearing to February 1, 1978, 10:00 A.M.

The following report was presented:

Institute of Governmental Studies Public Affairs Report
Vol.18, October 1977, No. 5, entitled Air Trade-Offs:
Attempting to Reconcile Industrial Growth and Clean Air
in California.

SET PUBLIC HEARING TO CONSIDER ADOPTING A REVISION TO
REGULATION 2 REGARDING MEASUREMENT OF OPACITY BY IN-STACK MONITORS

The following report from the APCO was presented:

Public hearing to Consider Use of In-stack Monitors to Determine
Opacity Violations, dated January 19, 1978.

COMMUNICATIONS

Richard Oliver, Secretary

Following communications were received:

Arnold M. Baptiste
Chairman
Marin County Board of Supervisors

Letter to All Marin County Taxing Agencies concerning the 1978-79
County budget, emphasizing the need for the most stringent economies
on the part of government.

Marilyn Lane
Corresponding Secretary
Gray Panthers
West Contra Costa County

Letter commending the Hearing Board for its Order on the matter
of APCO v. STANDARD OIL COMPANY OF CALIFORNIA.

EMTF and Executive Board Public Review Workshop

Agenda for January 25, 1978.

Brian Mattson
Planning Director
City of Novato

Supporting the Staff's proposed amendment to Regulation 2,
stating they allow industry more flexibility on how the emission
limits are met and specific enough to insure that the off-sets
allowed will not interfere with attempts to meet air quality
standards.

OTHER

Chairperson Chapman announced that Director Koehler had been appointed
liaison to the Advisory Council.

TIME AND PLACE OF NEXT MEETING

10:00 a.m. Wednesday, February 1, 1978, 939 Ellis Street,
San Francisco, California

The meeting adjourned at 2:45 p.m.

Respectfully submitted,

Mabel Harder
Secretary

MH/rbz

BAY AREA
AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

BOARD OF DIRECTORS

FEB 13 1978

REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday
February 1, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT: Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch, James P. Kenny, Ruth Koehler, Quentin Kopp, Marguerite Leipzig, Daniel A. McCorquodale, Richard Oliver, Gerald M. Poznanovich, Charles Santana, Geraldine Steinberg, Helen Tirsell.

BOARD MEMBERS ABSENT: Elwon Lance, James Lemos, John L. Molinari

ADVISORY COUNCIL
MEMBERS PRESENT: Marshall A. Kent, Chairperson; Ruth Church Gupta, William B. McCormick, Doyle Williams.

STAFF MEMBERS PRESENT: D. J. Callaghan, Thomas F. Bell, Paul Brand, Hulan F. Brinkley, Warren R. Crouse, Milton Feldstein, Terry Lee, Michael Macomber, Donald A. Monaghan, Edward W. McHugh, John F. Powell, Mabel Harder.

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Chairperson Chapman called the meeting to order at 10:05 A.M.

REPORT OF EXECUTIVE COMMITTEE
Sam Chapman, Chairperson

Chairperson Chapman reported that the Executive Committee met with the Advisory Council Executive Committee prior to the Board meeting.

Chairperson Chapman stated that the Secretary to the Board requested that the Minutes of meetings be Action Minutes in the future and that the lengthy discussion usually set forth therein be dispensed with and that the Committee so recommended.

Mr. Poznanovich so moved; seconded by Ms. Tirsell; carried.

APPROVAL OF MINUTES OF DECEMBER 21, 1977,
JANUARY 4, 18, AND 25, 1978

The Minutes of December 21, 1977, and January 18, 1978, were presented. Mrs. Koehler moved the approval of said Minutes; seconded by Mrs. Leipzig; carried.

DISCUSSION AND BOARD ACTION REGARDING THE
STATIONARY SOURCE OF STRATEGIES CONTAINED
IN THE ENVIRONMENTAL MANAGEMENT PLAN -
PUBLIC COMMENTS INVITED.

The following report by the Air Pollution Control Officer was presented: Board action on AQMP dated January 31, 1978.

Mrs. Leipzig moved that the Board adopt the Staff's recommendations as contained in the report; seconded by Mr. Kopp.

Mrs. Leipzig moved to change Action 3C and Action 4 from Best Available Control Technology to Reasonable Available Control Technology; seconded by Mr. Kopp.

The following members of the Public spoke on the issue:

Frank Farley
WOGA

Eveleth Hayden
Executive Vice President
BALIA

Mike Leary
BALIA

Peter Fearey
California Council for Environmental and Economic Balance

furnished an excerpt from his statement.

Mr. Kopp left at 11:20 A.M.

Wayne Hoffman
Natural Resources Defense Council

Sara Connor, President
League of Women Voters of the Bay Area

presented a written statement entitled, Testimony To Be Presented To The Association of Bay Area Government's Executive Committee and EMTF on the Environmental Management Plan, dated February 1, 1978.

Nick Arguimbau
Sierra Club and Friends of the Earth

Mrs. Leipzig's amendment to her main motion failed on roll call:

AYES: BACCIOCCO, COOPER, KENNY, LEIPZIG, SANTANA

NOS: BOXER, CHAPMAN, DOETSCH, KOEHLER, MCCORQUODALE,
OLIVER, POZNANOVICH, STEINBERG, TIRSELL.

ABSENT: KOPP, LANCE, LEMOS, MOLINARI.

Mrs. Koehler moved an amendment to the motion to change the words, "Secondary Assist System" in Action 3C to "Vapory Recovery System"; seconded by Mrs. Steinberg; carried.

Ms. Tirsell moved an amendment to the main motion to attach a policy statement to the report, incorporating a list of questions and concerns as to the definitions of BACT, RACT, date line that would be applied, and policy decisions on retrofit.

Mrs. Leipzig agreed to incorporate Ms. Tirsell's amendment into the main motion.

Mr. Cooper moved to continue the matter for one or two weeks in order to receive a Staff report on the definitions of BACT and RACT so that these could be sent with the Board's recommendation. There was no second.

Mrs. Leipzig's motion as amended, carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, KENNY,
KOEHLER, LEIPZIG, MCCORQUODALE, OLIVER,
POZNANOVICH, SANTANA, STEINBERG, TIRSELL.

NOS: NONE

ABSTAINING: COOPER.

ABSENT: KOPP, LEMOS, MOLINARI.

Mr. Cooper stated he abstained until clarification of the definitions could be obtained.

CONTINUATION OF THE PUBLIC HEARING TO
CONSIDER ADOPTION TO REGULATION 2 RE-
LATING TO NEW SOURCE REVIEW PROCEDURES.

Chairperson Chapman stated the Public Hearing would be continued until February 15, 1978; to be first item on the agenda.

Chairperson Chapman requested the Staff to prepare a report for the February 15, 1978 meeting on PG&E's concern with respect to power plants in the Bay Area and how the New Source Review rule will impact that.

Dr. Bacciocco and Mr. McCorquodale left at 12:05 P.M.

Chairperson Chapman requested the Staff to meet with the ARB prior to February 15, 1978, to clarify the discrepancies between the ARB's proposal and that of the Staff.

Chairperson Chapman requested the ARB representative to be present on February 15, 1978, and to send a letter outlining the reasons they prefer their regulation. Mrs. Steinberg stated that as Chairperson of the Ad Hoc Committee to work with the ARB to improve relationships, she and members of the Staff would meet with the Executive Officer of the ARB before the matter was discussed on February 15, 1978.

The following reports were presented: APCO report entitled, Public Hearing On New Source Review Regulation, dated January 19, 1978; letter to the Board from John F. Powell entitled, Disagreement With ARB re Interpretation Of Section 1309, dated January 30, 1978; definition of "Small Business" from EPA's Section 1896, Title 2; letter from Charles Kinney, Associated Building Industry of Northern California, dated January 27, 1978.

PUBLIC HEARING TO CONSIDER ADOPTING
PROPOSED RULE FOR ARCHITECTURAL COATINGS

Chairperson Chapman opened the Public Hearing at 12:15 P.M.

Mr. Powell furnished the Secretary 9 Affidavits Of Publication Of Notice Of Public Hearings.

The following reports were presented: APCO entitled, Public Hearing For Consideration Of Adoption Of Proposed Rule For Architectural Coatings, dated January 25, 1978; proposed Resolution entitled, In The Matter Of Adopting Regulation 9 Relating To Architectural Codings.

Chairperson Chapman continued the Public Hearing to February 15, 1978.

Mr. Cooper left at 12:15 P.M.

REPORT OF AIR POLLUTION CONTROL OFFICER

LEGISLATION

The following were presented: AB-724 (Sieroty, et al)- Air Pollution: Violations; SB-938 (Russell)- Air Pollution Control: Economic and Employment Effects.

Chairperson Chapman agendized AB-724 - Air Pollution: Violation - for February 15, 1978, and requested the Staff to prepare a report on the cost of fines presently being levied and what the cost would be if the bill went into effect.

Ms. Tirsell moved that the Board oppose SB-938 until such time as reimbursement is written into the bill; seconded by Mrs. Koehler; carried.

DIVISION MONTHLY REPORTS

The following reports were presented: Director Of Enforcement Monthly Activity Reports For January, 1978; Director Of Technical Services Monthly Activity Report, December 22, 1977 through January 18, 1978; Director of Engineering Services Monthly Activity Report, December 21, 1977 to January 20, 1978; Director of Public Information Monthly Activity Report - December 24, 1977 - January 24, 1978; Status of Legal Matters, December 26, 1977 - January 20, 1978.

COMMUNICATIONS

Richard Oliver, Secretary

The following communications were presented:

A.B.M. Houston
Manager, Compliance & Liaison Dept.
Stationery Source Environmental Control
Ford Motor Company

Comments on proposed amendments to Regulation 2, New Source Review.

Coalition of Labor and Business
Alameda and Contra Costa Counties

Statement with respect to Proposed "Trade-off" Rules for New Industry in the Bay Area.

Senator John A. Nejedly

Copy of letter to Chairperson Robert I. Schroder, Contra Costa County Board of Supervisors with respect to the letter received from the Gray Panthers, dated January 7, 1978, stating that the letter misrepresents existing facts with respect to realities of cancer incidence in Contra Costa County, and enclosing report data with respect thereto.

Charles Kinney, Counselor
Association of Building Industries

Comments on Amendment to Regulation 3 with respect to Organic Storage/New Source Review.

R.W. Davis
Chevron U.S., Inc.

Presenting report data with respect to their tanks covered under the Amendment to Regulation 3, adopted January 25, 1978.

R.W. Winston, Chairperson
Butte County Board of Supervisors

Copy of letter to Supervisor Gover, Shasta County, with respect to local air pollution control district programs and enclosing copies of resolutions adopted with respect thereto, referring to actions by the ARB, and requesting the Legislature provide reimbursement to local governments, and requesting subvention funds requirements.

ABAG Executive Board

Notice of Public Hearing on February 1, 1978.

R. Robert Brattain

submitting resignation from the Advisory Council.

OTHER

Letter from Mabel Harder to D. J. Callaghan, dated January 19, 1978, requesting return of filing fee to Shell Oil Company, presented.

Mrs. Koehler moved that the \$100.00 filing fee be returned to Shell Oil Co. in connection with Hearing Board Docket No. 614; seconded by Mrs. Steinberg; carried.

- - -

Ms. Tirsell, Chairperson of the Personnel Committee requested authorization from the Board to put out a press release today, indicating there are two openings on the Hearing Board and requesting resumes be submitted by February 17, 1978; included in the press release to be the announcement of the vacancy on the Advisory Council with respect to the Industry category. Mrs. Boxer moved that said authorization be given; seconded by Mrs. Koehler; carried.

- - -

The following reports were presented:

Board of Directors Action Taken December 21,
1977, January 18, 1978, and January 25, 1978.

- - -

Chairperson Chapman announced that there would not be a Board meeting on February 22, 1978.

TIME AND PLACE OF NEXT MEETING

10:00 a.m. Wednesday, February 15, 1978, 939 Ellis Street,
San Francisco, California.

The meeting adjourned at 12:25 p.m.

Respectfully submitted,

Mabel Harder
Secretary

MH/dh

A1581

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2

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FEB 24 1978

BOARD OF DIRECTORS

REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday
February 15, 1978
10:00 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara
Boxer, Sam Chapman, Fred F. Cooper,
Ralph P. Doetsch, James P. Kenny,
Ruth Koehler, Elwon Lance, Marguerite
Leipzig, James Lemos, Daniel A.
McCorquodale, Richard Oliver, Charles
Santana, Helen Tirsell.

BOARD MEMBERS ABSENT:

Quentin Kopp, John L. Molinari,
Gerald M. Poznanovich, Geraldine
Steinberg.

HEARING BOARD
MEMBER PRESENT:

Ralph Trower

ADVISORY COUNCIL
MEMBER PRESENT:

Jack C. Oppenheimer

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell,
Hulan F. Brinkley, Warren R. Crouse,
Milton Feldstein, Richard W. Grieves,
Michael Macomber, Donald A. Monaghan
Edward W. McHugh, John F. Powell,
Douglas Winget, Mabel Harder.

Chairperson Chapman called the meeting to order at 10:14 A.M.

APPROVAL OF MINUTES OF JANUARY 4, 25, AND FEBRUARY 1, 1978

SET PUBLIC HEARING TO CONSIDER ADOPTING A REVISION TO REGULATION 2
REGARDING MEASUREMENT OF OPACITY BY IN-STACK MONITORS (April 5, 1978)

APCO Report to set a Public Hearing to Consider Use of In-Stack Monitors to Determine Opacity Violations, dated February 7, 1978, was presented.

The above items were Consensus calendar items. Mr. McCorquodale moved their approval; seconded by Mrs. Koehler; carried

Dr. Bacciocco arrived at 10:15 A.M.

REPORT OF THE EXECUTIVE COMMITTEE
Sam Chapman, Chairperson

Mr. McCorquodale moved the recommendation of the Committee that Cecchi & Scheibner conduct the District's audit for the year 1976-77 and the subsequent two years; seconded by Mr. Kenny; carried on roll call:

AYES: BACCIOTTO, BOXER, CHAPMAN, DOETSCH, KENNY,
KOEHLER, LANCE, LEIPZIG, MCCORQUODALE,
OLIVER, SANTANA, TIRSELL.

NOS: NONE

ABSENT: COOPER, KOPP, LEMOS, MOLINARI, POZNANOVICH,
STEINBERG

Mr. Monaghan's report, Annual Audit for 1976-77 Fiscal Year dated February 2, 1978, was presented.

Mr. Lemos arrived at 10:18 A.M.

REPORT OF THE PERSONNEL COMMITTEE
John Tirsell, Chairperson

Ms. Tirsell moved that the Board adopt the Committee's recommendation that the Regional Park District category on the Advisory Council be declared open so that the Board could seek another Applicant to fill that category; seconded by Mrs. Koehler; carried.

Mr. Cooper arrived at 10:22 A.M.

Chairperson Chapman directed Mr. Callaghan to write a letter to the two qualifying Regional Park Districts seeking Applicants for that category on the Advisory Council.

Ms. Tirsell moved that the Board adopt the Committee's recommendation that an additional \$10M maximum be budgeted for the purpose of securing the services of Mr. Jim Marshall as negotiator for the District for the 1978-79 fiscal year with the Employees' Association so that the

Personnel Officer is relieved of the actual negotiating; seconded by Mrs. Koehler; carried.

There was a discussion on whether more consultants should be solicited before authorizing the funds, after which Ms. Tirsell withdrew her motion, and Chairperson Chapman directed the Staff to develop a request for proposals to consultants to serve as the negotiator for the District for the 1978-79 fiscal year in meet and confer sessions, and receive proposals from more than two consultants, submitting them to the Personnel Committee for review prior to action being taken by the Board.

Chairperson Chapman requested the PI&E Division to issue a press release advising of the two vacancies on the Advisory Council; said press release to include an appropriate deadline for applications to be received and information on the time necessary to spend on the assignment.

HEARING BOARD QUARTERLY REPORT

Ralph Trower

The following report was presented: Hearing Board Quarterly Report as of January 1, 1978, dated February 1, 1978.

Mr. Trower briefly outlined the time the members of the Hearing Board spend on Hearing Board activities.

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER ADOPTING AMENDMENTS TO REGULATION 2 RELATING TO NEW SOURCE REVIEW PROCEDURES

The following reports were presented: APCO Report entitled, New Source Review Regulation dated February 9, 1978; Chart entitled, Comparison of New Source Rules, undated, which Mr. Feldstein reviewed; Chart entitled, Case Study # 1 - 10#/Hour Modification - Oil Co.; Chart entitled, Case Study #2 - 30#/Hour Modification, undated, which Mr. Feldstein reviewed.

There was discussion on the definition of BACT, Mr. Powell reading the Clean Air Act definition thereof.

Chairperson Chapman opened the public hearing at 11:35 A.M. The following made presentations:

Doyle Williams
Coalition of Labor and Business
Alameda & Contra Costa Counties

presented a written statement entitled, Proposed "Trade Off" Rules For New Industry in The Bay Area, dated January 25, 1978.

Jim Dehnert
Chairperson, Air Resources Committee
BALIA

requested the public hearing be continued until March 1, 1978, to give them time to review the latest draft.

Letter from C. M. Higby, President of BALIA entitled, Association of Bay Area Governments, Draft Environmental Plan for the San Francisco Bay Area, Volume I, December 1977, dated February 10, 1978, was presented.

Rick Berby
Kaiser Cement and Gypsum Corporation

requested public hearing be continued until March 1; expressed concern about §1309.E.

Forest Bottomley
Bay Area Committee
WOGA

requested the public hearing be continued for 30 days.

Dr. Bacciocco left at 11:50 A.M.

Roy Wickland
Wickland Oil Company

stated former Section B under Exemptions on Page 6 of the February 7, 1978 draft have been deleted from the latest draft.

Charles Kinney
Associated Building Industry

addressed Section B on Page 6 and suggested the Regulation be amended to allow for demonstrable air quality benefits.

The following letter was received: National Research Defense Council, Inc. dated February 9, 1978, furnishing preliminary comments on the proposed regulation.

Mr. Oliver left at 12:05 P.M.

Mr. Cooper moved that the Public Hearing be continued to March 1, 1978, and that the Staff provide the Board prior to that time a report on the following:

Banking of Pollutants.

Further information on whether there are valid reasons to give coal an exemption as oil has been given.

Definitions of LEAR and BACT, and whether to go to interpretive or objective standards.

Whether to include in the regulation language for trade off for demonstrable off-site benefits, such as establishing housing and bus service.

Seconded by Mr. Kenny.

After discussion, Chairperson Chapman stated the Public Hearing would be continued to March 15, 1978, and that the Staff should prepare reports responding to Mr. Cooper's questions as well as a response to the National Defense Council's letter, furnishing to the Board prior to March 15.

Chairperson Chapman stated that this would be the first major item on the agenda for discussion.

CONTINUATION OF PUBLIC HEARING TO CONSIDER ADOPTING REGULATION
RELATING TO SOLVENT CONTENT OF ARCHITECTURAL COATINGS.

Chairperson Chapman continued the Public Hearing to March 1, 1978; to be the first major item for discussion on the agenda.

The following APCO report was presented: Public Hearing for Consideration of Adoption of Proposed Rule for Architectural Coatings, dated February 8, 1978.

LEGISLATION

The Board received a letter from Mr. Powell regarding AB-724 (Sieroty) - provides for an increase in the maximum penalty which the Court may impose for air pollution violation in both criminal and civil cases.

Ms. Tirsell moved that the Board support AB-724; seconded by Mrs. Boxer; carried.

COMMUNICATIONS
Secretary Oliver

The following communications were presented:

Baxter L. Tilford
Plant Manager
Monsanto

Objecting to the actions taken by the Advisory Council and Public Health Committee with respect to the SO₂ upper limit regulation and requesting that the Technical Committee be allowed to complete its investigation and make an independent recommendation.

San Luis Obispo Board of Supervisors

Resolution of the Air Pollution Control Board requesting ARB to postpone its scheduled hearing to allow for local action on the proposed revisions to the San Luis Obispo County APCD Regulation and requesting the ARB to refrain from future unreasonable and unwarranted acts that infringe on that Board's duties and responsibilities.

Thomas C. Austin
Deputy Executive Officer
ARB

Concerning their conclusions that changes in the District's SO₂ Regulations are required and making recommendations with respect thereto.

San Diego County

Job announcements for Air Resources Specialist and Associate Air Pollution Control Engineer.

Kathy Polletta
Senior Clerk Typist
BAAPCD Vehicle Control Section

Expressing concern that consideration is not being given to those employees who carry Blue Cross insurance.

U. S. Department of Commerce
Bulletin Entitled, Governmental Finances and Employment
at a Glance

EMTF

Agenda for February 16, 1978 meeting.

C. M. Higby, President
BALIA

enclosing copy of recommendations to ABAG - EMTF on the Draft Environmental Plan, and requesting the Board's support in having the modifications to Table 21 suggested by BALIA adopted by EMTF.

OTHER

Adopted Resolution No. 1049, In the Matter of Expressing the Appreciation of the Board of Directors of the Bay Area Air Pollution Control District to Peter Tamaras for his services, on motion of Mrs. Koehler; seconded by Ms. Tirsell; carried on roll call:

AYES: BOXER, CHAPMAN, DOETSCH, KENNY, KOEHLER, LANCE,
LEIPZIG, LEMOS, MCCORQUODALE, SANTANA, TIRSELL.

NOS: NONE

ABSENT: BACCIOCCO, COOPER, KOPP, MOLINARI, OLIVER,
POZNANOVICH, STEINBERG.

- - -

The following report was presented from the Secretary: Pending Referrals to Board of Directors, dated February 7, 1978.

Mrs. Leipzig left at 12:19 P.M.

Chairperson Chapman reported on the meeting the Board had with Mr. Tom Quinn, Chairperson of the ARB, on February 9, 1978.

- - -

There was discussion on the Budget & Finance Committee meeting scheduled for February 22, 1978, being postponed until either March 1 or March 15, 1978. Mr. Callaghan will contact Chairperson Steinberg with respect to changing the date.

TIME AND PLACE OF NEXT MEETING

10:00 A.M., Wednesday, March 1, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:25 P.M.

Respectfully submitted,

Mabel Harder
Secretary

MH:kp

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MAR 17 1978

BOARD OF DIRECTORS

REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday
March 1, 1978
10:00 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch, James P. Kenny, Ruth Koehler, Quentin Kopp, Marguerite Leipzig, James Lemos, Daniel A. McCorquodale, John L. Molinari, Gerald M. Poznanovich, Charles Santana, Geraldine Steinberg, Helen Tirsell.

BOARD MEMBERS ABSENT:

Elwon Lance, Richard Oliver.

ADVISORY COUNCIL
MEMBERS PRESENT:

Ruth Church Gupta, William B. McCormick, Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell, Hulan F. Brinkley, Thomas H. Crawford, Warren R. Crouse, Milton Feldstein, Richard W. Grieves, Terry Lee, Dario Levaggi, Donald A. Monaghan, Edward W. McHugh, John F. Powell, Douglas Winget, Mabel Harder

Chairperson Chapman called the meeting to order at 10:15 A.M.

APPROVAL OF MINUTES OF FEBRUARY 15, 1978

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for February 1978,
Director of Engineering Services Monthly Activity Report -
January 20, 1978 to February 20, 1978, Director of Technical
Services Monthly Activity Report, January 19 through February
15, 1978, Director of Public Information Monthly Activity Report
January 25, 1978 - February 23, 1978, Status of Legal Matters -
January 21, 1978 to February 21, 1978, Controller's Appropriation
Statement and Cash Position - January 31, 1978.

COMMUNICATIONS
Secretary Oliver

The following communications were presented:

William Mehrwein, clerk
Alameda County Assessment Appeals Board

Copy of letter to Mr. & Mrs. Peter Harriss, Oakland, responding
to their letter indicating their intent to withdraw their appeal
for relief.

EMTF

Agenda for February 22, 1978 meeting.

Robert D. Bauer, Manager
New Activities Development
ASTM

Inviting the Chairperson to be present at the Hazardous Materials
Conference in Miami Beach, Florida on April 14, 1978.

Harlan Kessel, Director
Board of Directors
East Bay Regional Park District

Expressing several concerns with respect to the Advisory Council;
namely that all meetings are held during the day; that the technical
written material provided arrives in raw form with virtually no
input from staff; that orientation provided new Council members was
nonexistent; that the work of Advisory Council will be more useful
to the Board if some changes were made.

Mrs. Koehler moved the approval of the above items; seconded by Mr. McCormick; carried.

REPORT OF EXECUTIVE COMMITTEE
Sam Chapman, Chairperson

Chairperson Chapman's report, Recommendations of Executive Committee, dated February 2, 1978 was presented. Mrs. Leipzig moved that the recommendations be adopted; seconded by Mrs. Koehler; carried.

Mr. Cooper arrived at 10:17 A.M.

REPORT OF PERSONNEL COMMITTEE
Helen Tirsell, Chairperson

Chairperson Tirsell announced that the Committee recommended that Mrs. Ruth Koehler, and Professor Kenneth A. Manaster, be appointed to the Hearing Board in the Public Member category.

Chairperson Chapman announced that Mrs. Koehler had decided not to participate in the discussion by the Board, and she left the room during the discussion.

Mr. Kopp expressed concern that Mrs. Koehler had participated in the Committee's recommendation of Professor Manaster to the Hearing Board.

After discussion, Mrs. Steinberg placed Mrs. Koehler's name in nomination; seconded by Mr. Poznanovich.

Mr. Cooper moved a substitute motion that the matter be referred back to the Personnel Committee; seconded by Mr. Lemos; failed on roll call:

| | |
|---------|--|
| AYES: | Cooper, Kenny, Kopp, Leipzig, Lemos, McCorquodale, Santana. |
| NOS: | Bacciocco, Boxer, Chapman, Doetsch, Poznanovich, Steinberg, Tirsell. |
| ABSENT: | Koehler, Lance, Molinari, Oliver. |

A vote was then taken of each Director on the candidate of his choice, as follows:

| | |
|-----------|-------------------|
| Bacciocco | Koehler, Nelder |
| Boxer | Koehler, Manaster |
| Chapman | Manaster, Koehler |
| Cooper | Manaster, Nelder |
| Doetsch | Manaster, Koehler |
| Kenny | Manaster, Nelder |
| Koehler | Absent |

| | |
|--------------|-------------------|
| Kopp | Manaster, Nelder |
| Lance | Absent |
| Leipzig | Manaster, Nelder |
| Lemos | Manaster, Nelder |
| McCorquodale | Koehler, Nelder |
| Molinari | Absent |
| Oliver | Absent |
| Poznanovich | Manaster, Koehler |
| Santana | Nelder |
| Steinberg | Manaster, Koehler |
| Tirsell | Manaster, Koehler |

Mr. Cooper moved the adoption of Resolution No. 1050, In the Matter of Appointing Members of the Hearing Board; seconded by Mr. Doetsch; carried:

AYES: Bacciocco, Boxer, Chapman, Cooper, Doetsch, Kenny, Kopp, Leipzig, Lemos, McCorquodale, Poznanovich, Santana, Steinberg, Tirsell.

NOS: None

ABSENT: Koehler, Lance, Molinari, Oliver.

The Board then voted on whether to appoint Mrs. Koehler or Mr. Nelder, as follows:

| | |
|--------------|---------|
| Bacciocco | Koehler |
| Boxer | Koehler |
| Chapman | Koehler |
| Cooper | Nelder |
| Doetsch | Koehler |
| Kenny | Nelder |
| Koehler | Absent |
| Kopp | Nelder |
| Lance | Absent |
| Leipzig | Nelder |
| Lemos | Nelder |
| McCorquodale | Koehler |
| Molinari | Absent |
| Oliver | Absent |
| Poznanovich | Koehler |
| Santana | Nelder |
| Steinberg | Koehler |
| Tirsell | Koehler |

Mr. Molinari arrived at 10:46 A.M.

Mr. Santana moved the adoption of Resolution No. 1051, In the Matter of Appointing Members of the Hearing Board; seconded by Ms. Tirsell; carried:

AYES: Bacciocco, Boxer, Chapman,
 Cooper, Doetsch, Kenny, Kopp,
 Leipzig, Lemos, McCorquodale,
 Molinari, Poznanovich, Santana,
 Steinberg, Tirsell.

NOS: None

ABSENT: Koehler, Lance, Oliver.

Mr. Cooper moved that the District Counsel be requested to draft a provision to the effect that no member of the governing board of the District be allowed to apply for any position in the District unless they have been off the Board at least thirty days, and present to the Executive Committee for discussion and report to the Board; seconded by Mr. Kopp; carried.

CONTINUATION OF PUBLIC HEARING TO CONSIDER ADOPTING
A REGULATION RELATING TO SOLVENT CONTENT OF ARCHI-
TECTURAL COATINGS.

The following reports from the Air Pollution Control Officer were presented:

Public Hearing For Consideration of Adoption
of Proposed Rule for Architectural Coatings
dated February 22, 1978.

Architectural Coatings - Dates for Compliance
dated February 27, 1978.

Chairperson Chapman opened the Public Hearing at 10:55 A.M.

The following made presentations:

R. E. Minucciani
Golden Gate Society of Painting Technology
BALIA

Austin C. Abbott, Jr.
Technical Director
Sherwin-Williams

Mr. Cooper moved the adoption of Resolution No. 1052, In the Matter of Adopting Regulation 9 Relating to Architectural Coatings, to include the Dates for Compliance as presented in the APCO's report dated February 27, 1978; seconded by Mr. Lemos; carried on roll call:

AYES: Boxer, Chapman, Cooper,
Doetsch, Kenny, Koehler,
Kopp, Leipzig, Lemos,
McCorquodale, Molinari,
Poznanovich, Santana,
Steinberg, Tirsell.

NOS: None

ABSENT: Bacciocco, Lance, Oliver.

Mr. Poznanovich left at 11:10 A.M.

PRESENTATION BY EPA REGARDING CLEAN AIR ACT
AMENDMENTS OF 1977

Phil Wondra
Chief of California Air Quality Management Section -
Region IX
EPA

Reviewed the amendments by means of a slide presentation.

Chairperson Chapman requested the staff to furnish copies of the slides to each Director.

Mr. Cooper left at 11:40 A.M.

REPORT OF THE AIR POLLUTION CONTROL OFFICER
D. J. Callaghan

Legislation

Mr. Callaghan reported on the proposed change of the District's name, and the proposed Emissions Tax.

Chairperson Chapman requested the Staff to present a report on how the Emissions Tax will be implemented in the District.

Mrs. Steinberg moved to support the concept of Emissions Tax with the understanding that the Board would like to make specific comments on the legislation when it is prepared; seconded by Mrs. Koehler; carried.

Mr. Kopp left at 11:55 A.M.

Mrs. Steinberg moved that it be the established Board position, and that the Staff be directed to lobby with appropriate State agencies, including the Governor's office, to have appropriation for additional subvention funds; seconded by Mr. Doetsch; carried.

EPA Disapproval of Upset/Breakdown of District Regulations

Mr. Powell's letter entitled, Invalidity of District's Upset/Breakdown Rule dated February 22, 1978 was presented.

Mr. Molinari left at 12:00 Noon.

Chairperson Chapman directed Mr. Powell to report in six months on the District's experience under the new Upset/Breakdown Rule.

ARB and California Air Pollution Control District's Agreement on Procedures to be Followed in Relation to New Regulations and Subvention Funds

The letter from Mr. William H. Lewis, Jr., ARB, entitled, Report on Roles of ARB and APCDs, dated February 2, 1978 was presented.

Mr. Lemos left at 12:05 P.M.

Chairperson Chapman requested Mr. Levaggi to furnish the work program of the proposed Memorandum of Understanding in connection with the AQMP, before it is finalized.

Chairperson Chapman referred to the Ad Hoc Committee For Closer Liaison with ARB the Report on Roles of ARB and APCDs for review and report back to the Board at an appropriate time. Directors Boxer, Chapman and Tirsell agreed to serve on this Committee chaired by Director Steinberg.

Chairperson Chapman directed the Staff to prepare a resolution of appreciation for Theodore K. Cleveland, who served on the Hearing Board.

Dr. Bacciocco left at 12:12 P.M.

Chairperson Chapman requested the District Counsel to prepare a report on how the Jarvis Bill will affect the District, how he interprets it, and present to the Budget and Finance Committee for discussion and report to the Board.

TIME AND PLACE OF NEXT MEETING

10:00 A.M., Wednesday, March 15, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:15 P.M.

Respectfully submitted,

Mabel Harder
Secretary

MH:kp

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MAR 28 1978

BOARD OF DIRECTORS

REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday
March 15, 1978
10:00 A.M.

939 Ellis Street
San Francisco
California 94109

BOARD MEMBERS PRESENT: Edward J. Bacciocco, Jr., Barbara Boxer,
Sam Chapman, Fred F. Cooper, Ralph P.
Doetsch, Sr., James P. Kenny, James Lemos,
Daniel A. McCorquodale, Richard Oliver,
Geraldine F. Steinberg.

BOARD MEMBERS ABSENT: Quentin Kopp, Elwon Lance, Marguerite
Leipzig, John L. Molinari, Gerald M.
Poznanovich, Charles Santana, Helen
Tirsell.

ADVISORY COUNCIL
MEMBER PRESENT:

Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell, Hulan F.
Brinkley, Warren R. Crouse, Milton
Feldstein, Richard W. Grieves, Dario
Levaggi, Donald A. Monaghan, Edward W.
McHugh, John F. Powell, Mabel Harder.

Chairperson Chapman called the meeting to order at 10:15 A.M.

APPROVAL OF MINUTES OF MARCH 1, 1978

COMMUNICATIONS
Secretary Oliver

The following communications were presented:

Ruth Koehler

Letter of resignation from the BAAPCD effective March 2, 1978.

Charles H. Kruger
Chairperson
Hearing Board

Expressing appreciation of the Hearing Board for enlarging the room in which it does its deliberations and conducts other Hearing Board matters.

Michael Mitchel
Auditor-Controller
County of Marin

Copy of letter to Marin County Board of Supervisors giving his analysis of the Jarvis/Gann Initiative and its impact on the Marin County budget.

MTC
Regional Seaport Policy Committee

Notice of meeting of March 7, 1978.

Thomas C. Austin
ARB

Enclosing attachment to his letter of February 1, 1978 with respect to Regulation 2, §3123 and related sections.

Stuart C. Cullen

Expressing appreciation for the resolution.

EMTF

Agenda for March 16, 1978 meeting.

Tommy Bright
Mill Valley

Expressing concern about splashback problems at a service station in Daly City.

Mr. Kenny moved the approval of the above items; seconded by Mr. Doetsch; carried.

REPORT OF BUDGET AND FINANCE COMMITTEE
Geraldine F. Steinberg, Chairperson

On motion of Mrs. Steinberg, seconded by Mr. Kenny, the Board adopted the following resolutions on roll call:

No. 1053, In the Matter of Authorizing the Chairman of the Board of Directors to Sign Purchase Orders in Amounts Exceeding \$4,000.

No. 1054, In the Matter of Authorizing the Air Pollution Control Officer to Sell Thirty-One Used Vehicles.

No. 1055, In the Matter of Authorizing the Chairman of the Board of Directors to Sign a Contract with Otis Elevator Company in an Amount Exceeding \$4,000.

AYES: Bacciocco, Boxer, Chapman, Cooper,
 Doetsch, Kenny, Lemos, McCorquodale,
 Steinberg.

NOS: None.

ABSENT: Kopp, Lance, Leipzig, Molinari, Oliver
 Poznanovich, Santana, Tirsell.

Mr. Oliver arrived at 10:25 A.M.

REPORT ON ENVIRONMENTAL MANAGEMENT
TASK FORCE

Sam Chapman

Mr. Chapman reported.

CONTINUATION OF PUBLIC HEARING TO CONSIDER
ADOPTING AMENDMENTS TO REGULATION 2 RELATING
TO NEW SOURCE REVIEW.

The following reports were presented:

Proposed New Source Review Rule Draft Dated
February 17, 1978, dated March 8, 1978.

Comments on National Resources Defense Council
Letter dated February 8, 1978 on New Source
Review Regulation, dated March 7, 1978.

Summary of Staff NSR Proposal dated February 17,
1978, which Mr. Feldstein reviewed.

Staff response to Referrals Relative to New Source
Review Procedures, dated March 3, 1978.

John F. Powell letter entitled, Staff Proposal Amending
New Source Review Rules, dated March 9, 1978.

Chairperson Chapman opened the Public Hearing at 11:00 A.M.
The following made presentations:

Robert K. Wrede
WOGA

Presented a written Statement on behalf of the Western Oil & Gas Association entitled, Proposed New Source Review Rules, dated March 15, 1978.

Mr. Cooper left at 11:05 A.M.

Peter Jonker
Regulations Coordinator
Environmental Sciences
Union Oil Company of California

Presented a written Statement entitled, New Source Review Regulation, dated March 15, 1978.

Dr. Bacciocco left at 11:25 A.M.

Chairperson Chapman requested the Staff to respond to each of the points raised by Mr. Jonker.

Annette Green
P.G. & E.

After her verbal presentation, agreed to furnish copies of their proposed changes.

Joseph Meyer
Supervising Engineer
Coal Generation and Solid Waste Department
P.G. & E.

Outlined their suggested addition to Section 1309(e)(1)(C) and a new exception under "h".

Wayne Hoffman
National Resources Defense Council

Verbally commented on several sections. Chairperson Chapman requested the Staff to furnish the Board in writing a response to his comments.

Richard H. Berby
Manager, Environmental Control & Energy
Kaiser Cement & Gypsum Corporation

Commented on Section 1309(e).

Chairperson Chapman requested the Staff to furnish Mr. Berby and the Board a response to his comments in writing.

James F. Denhert
Air Resources Committee
BALIA

Presented a written Statement dated March 15, 1978.

Cormac J. Brady
Senior Mechanical Engineer
Department of Public Works
City and County of San Francisco

Verbally commented on the language proposed by P.G. & E. under Section 1309(e)(1)(C).

Charles Kinney
Associated Building Industry

Suggested adding §H to §1309 to reflect §173(b)11A of the Clean Air Act.

Chairperson Chapman continued the Public Hearing to April 5, 1978.

PROGRESS REPORT ON SO₂ UPPER LIMIT

Chairperson Chapman continued the item to April 5, 1978 as a Consent Calendar item, and requested Mr. Callaghan to send a memorandum to the Board requesting the matter be set for Public Hearing on May 17, 1978.

CONSIDERATION OF AMENDMENT TO ADMINISTRATIVE CODE REGARDING FUNCTIONS OF EXECUTIVE COMMITTEE

Chairperson Chapman continued the matter to April 5, 1978.

OTHER

Chairperson Chapman continued the adoption of the resolutions for Ruth H. Koehler and Theodore K. Cleveland to April 5, 1978.

- - - -

Mr. Callaghan advised that the Personnel Committee meeting scheduled for March 22, 1978 would be changed to April 5, 1978.

- - - -

Chairperson Chapman requested that any Board member who wished to serve as Board liaison to the Advisory Council should advise him.

- - - -

The following report was presented:

Pending Referrals from Board of Directors, dated
March 3, 1978.

- - - -

Chairperson Chapman advised that the Board Meeting scheduled for March 22, 1978 would not be held.

TIME AND PLACE OF NEXT MEETING

10:00 A.M., Wednesday, April 5, 1978, 939 Ellis Street,
San Francisco, California.

The meeting adjourned at 12:20 P.M.

Respectfully submitted,

Mabel Harder
Secretary

MH:kp

**BAY AREA
AIR POLLUTION
CONTROL DISTRICT**
939 Ellis Street
San Francisco, California 94109

2

JACK LEISTER
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A 1581

2

BAY AREA
AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

APR 19 1978

BOARD OF DIRECTORS

REGULAR MEETING

Wednesday
April 5, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch, Sr., James P. Kenny, Quentin Kopp, James Lemos, Daniel A. McCorquodale, Richard Oliver, Charles Santana, Geraldine F. Steinberg, Helen Tirsell.

BOARD MEMBERS ABSENT:

Elwon Lance, Marguerite Leipzig, John L. Molinari, Gerald M. Poznanovich.

ADVISORY COUNCIL
MEMBERS PRESENT:

Robert J. Debs, Jack C. Oppenheimer, William D. McCormick, Walter Toney.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell, Hulan F. Brinkley, Warren R. Crouse, Milton Feldstein, Richard W. Grieves, Terry Lee, Dario Levaggi, Donald A. Monaghan, Edward W. McHugh, John F. Powell, Douglas Winget, Mabel Harder.

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Chairperson Chapman called the meeting to order at 10:20 a.m.

The following Consent Calendar items were approved on motion of Mr. Lemos; seconded by Mr. Kenny; carried:

Minutes of March 15, 1978.

Set Public Hearing to Consider Upper Stack Limit of SO₂ for Acid Plants and Sulfur Plants, for May 17, 1978.

Set a Public Hearing to Consider Amending Regulation 3 Regarding Emissions of Organic Gases From Polyester Resins, for May 17, 1978.

Resolution No. 1058, In the Matter of Expressing the Opposition of the Board of Directors of the BAAPCD to the Application of the Southern Pacific Transportation Company for the Discontinuance of Passenger Service Between San Francisco and San Jose, Interstate Commerce Commission Finance Docket No. 28611. The following APCO report was presented in connection therewith, Resolution Expressing Opposition to Southern Pacific Application to ICC for Discontinuance of Passenger Service Between San Francisco and San Jose, dated March 29, 1978.

Division Monthly Reports as follows: Director of Enforcement Monthly Activity Report from March 1978; Director of Engineering Services Monthly Activity Report, February 21, 1978 to March 20, 1978; Director of Technical Services Monthly Activity Report, February 16 through March 22, 1978; Director of Public Information Monthly Activity Report, February 24, 1978 - March 24, 1978; Status of Legal Matters, February 22, 1978 - March 24, 1978; Controller's Appropriation Statement and Cash Position, February 28, 1978.

Communications:

Siskiyou County Air Pollution Control Board

Copy of resolution requesting the Governor to appoint Mr. John R. Caton to fill the vacancy on the Air Resources Board.

Michael Mitchell
Auditor-Controller
County of Marin

Copy of letter to Marin County Board of Supervisors regarding the Jarvis/Gann Proposition 13 Impact on Special Districts.

Larry R. Seiders
Branch Manager
Comsis Corporation
Mountain View

Announcing its consulting services with respect to transportation planning, environmental impacts and assessments, and computer software development and application.

Luman C. Drake
Brisbane Citizens for Civic Progress

Copy of letter to Mr. James F. Trout, California State
Lands Division, with respect to Tergiversations 42466

Mendocino Air Pollution Control Board

Copy of resolution No. 78-139, requesting the Governor to
appoint Mr. John R. Caton to fill the vacancy on the Air
Resources Board.

Oil, Chemical and Atomic Workers International Union
Washington, D. C.

Copy of their publication, Alert.

Lassen County Air Pollution Control Board

Copy of resolution No. 77/78-208, requesting Governor Brown
to appoint Mr. John R. Caton to the ARB.

Joseph J. Brecher
Attorney
Sierra Club

Enclosing Comments of the Sierra Club on BAAPCD Proposed New
Source Review Rules - March 27, 1978.

Scott Lynn
Member of Advisory Council

Submitting his resignation from the Council effective immediately,
stating the lack of concern for establishing a technical basis for
recommending technical regulations eliminates the value of any
contribution he could make to the Council's activities.

R. F. Miller
Chief Refinery Engineer
Union Oil Company

Submitting material amplifying two points made during the March 15,
1978 Public Hearing on NSR with respect to Off-set ratios.

Philip M. Roth
Member of Advisory Council

Submitting his resignation from the Council effective immediately,
stating that the apparent interpretation of the role of the
Council by its members and the attendant pattern of decision
making that is emerging impels him to reevaluate his commitment
to the position.

City Council
City of El Sorito

Copy of resolution No. 3883 announcing a public hearing with respect to the Ridge Area Municipal Reorganization.

John B. Stohlton
Hodge, Fenton, Jones & Appel, Inc.
Monterey

Attorneys for the Northern California Society of the Plastics Industries Photo Chemical Emissions Committee, commenting on §5-1-119 of proposed Regulation 5.

Charles Kinney
Counselor
Associated Building Industry of Northern California

Proposing amendments to the New Source Review Rules to be considered on April 5, 1978.

Joseph D. Coons
Member of Advisory Council

commenting on Drs. Scott Lynn and Philip Roth's resignation from the Advisory Council, and setting forth what he believes to be the underlying problems relating to their decisions, and requesting the Board's decisions with respect to its expectations from the Council, and the general qualifications individual Council members should have if the expectations are to be met.

Adopted Resolution No. 1056, In the Matter of Expressing the Appreciation of the Board of Directors of the Bay Area Air Control District to Ruth H. Koehler for Her Services and No. 1057, In the Matter of Expressing Appreciation to Dr. Theodore Cleveland for His Public Service as a Member of the Hearing Board of the Bay Area Air Pollution Control District, on motion of Mr. Lemos; seconded by Mr. Kenny; carried on roll call.

AYES: BOXER, CHAPMAN, COOPER, DOETSCH, KENNY, KOPP, LEMOS, McCORQUODALE, OLIVER, SANTANA, STEINBERG, TIRSELL.

NOS: None.

ABSENT: BACCIOCCO, LANCE, LEIPZIG, MOLINARI, POZNANOVICH.

REPORT OF EXECUTIVE COMMITTEE
Sam Chapman, Chairperson

Chairperson Chapman reported the Executive Committee met prior to the Board Meeting and discussed the matter of a Board Policy with

respect to appointment of Board members to the Advisory Council and Hearing Board; that it was the decision of the Committee to drop consideration of amending the Administrative Code along the lines suggested. Mr. McCorquodale moved that the report of the Committee be accepted; seconded by Ms. Tirsell; carried.

REPORT OF PERSONNEL COMMITTEE
Helen Tirsell, Chairperson

Ms. Tirsell reported the Committee met prior to the Board meeting and moved the adoption of Resolution No. 1059, In the Matter of Authorizing the Chairman of the Board of Directors to Sign an Agreement for Labor Negotiation Services and Transferring Funds From Permanent Salaries to Professional and Special Services; said agreement to be with Patterson & Taggart, in the amount of a maximum of \$5,000; seconded by Mr. McCorquodale; carried on roll call.

AYES: BOXER, CHAPMAN, DOETSCH, KENNY, KOPP, LEMOS,
Mc CORQUODALE, OLIVER, SANTANA, STEINBERG,
TIRSELL.

NOS: None.

ABSENT: BACCIOCCO, COOPER, LANCE, LEIPZIG, MOLINARI,
POZNANOVICH.

ABSTAINING: None.

Ms. Tirsell stated that the Committee recommends that because the District has been unable to find qualified applicants for the Regional Park District category on the Advisory Council, that this be declared a Public-at-Large category and that the District advertise for it and she so moved; seconded by Mr. McCorquodale; carried.

Ms. Tirsell stated that the Committee recommends the appointment of Mr. Douglas A. Cook to the Advisory Council in the Industry category; seconded by Mr. McCorquodale; carried, with Mr. Kopp voting no.

Ms. Tirsell stated the Committee recommends that the Staff be authorized to fill the Sr. Clerk Stenographer positions for the APCO and Deputy APCO at Step C of the salary range, and that the Staff present a written report to the Board on April 19 as to alternatives that could be examined and she so moved; seconded by Mr. Cooper; carried.

REPORT OF ADVISORY COUNCIL
Jack C. Oppenheimer, Secretary

The Report of Advisory Council dated March 29, 1978, was presented.

Dr. Bacciocco arrived at 10:35 a.m.

CONSIDERATION OF AMENDMENT TO ADMINISTRATIVE CODE
REGARDING FUNCTIONS OF EXECUTIVE COMMITTEE

Adopted Resolution No. 1060, In the Matter of Amending the Administrative Code, on motion of Mrs. Boxer; seconded by Mr. McCorquodale; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, COOPER, DOETSCH,
 KENNY , KOPP, LEMOS, Mc CORQUODALE, OLIVER,
 SANTANA, STEINBERG, TIRSELL.

NOS: None.

ABSENT: Lance, Leipzig, Molinari, Poznanovich.

PUBLIC HEARING TO CONSIDER ADOPTING AN AMENDMENT TO
REGULATION 2 REGARDING MEASUREMENT OF OPACITY BY IN-STACK MONITORS

The following reports were presented:

APCO entitled Public Hearing Regarding Use of In-Stack
Monitors Scheduled for April 5, 1978, dated April 4, 1978

APCO entitled Public Hearing to Consider Use of In-Stack
Monitors to Determine Opacity Violations, dated March 29, 1978

Chairperson Chapman opened the public hearing at 10:43 a.m.

Mr. Powell presented the Secretary with 9 Affidavits of Publication
of Notice of Public Hearing.

The following made presentations:

Mrs. Jean Siri, President
West Contra Costa Conservation League

Presented a written statement supporting the amendment. She
expressed concern regarding requiring in-stack monitors on flares.

Mr. Feldstein stated the Staff would present a report to the
Board on flares.

Thomas P. O'Donnell
Attorney representing
Kaiser Cement & Gypsum Corporation

Spoke in opposition to the amendment , expressing concern that the
amendment was being proposed without proper study as to what is
reasonable.

Larry Coleman
Chevron U.S.A. Inc.

Spoke in opposition to the amendment and presented the rules and
regulations from the Federal Register, Volume 42, No. 99, May 23, 1977;
and excerpts from the ARB Bulletin, dated April 1977 and July -
August 1977.

Chairperson Chapman closed the public hearing at 11:35 a.m.

Messrs. Feldstein and Powell responded to the comments made by Mr. O'Donnell.

After discussion, Mr. Cooper moved that the proposed amendments be referred back to the Advisory Council for study and report to the Board within 90 days; seconded by Mr. Kopp; carried on roll call:

AYES: BACCIOCCO, COOPER, DOETSCH, KENNY, KOPP,
LEMONS, SANTANA.

NOS: BOXER, CHAPMAN, MCCORQUODALE, OLIVER,
STEINBERG, TIRSELL.

ABSENT: LANCE, LEIPZIG, MOLINARI, POZNANOVICH.

Mr. Kopp left at 11:50 a.m.

CONTINUATION OF PUBLIC HEARING TO CONSIDER ADOPTING
AMENDMENTS TO REGULATION 2 RELATING TO NEW SOURCE REVIEW

Mrs. Steinberg reported on the meeting with representatives from the ARB on NSR on March 31, 1978. The APCO report entitled, Summary of Discussion with Air Resources Board on New Source Review Rule, dated April 4, 1978, was presented, and there was discussion thereon.

Mr. Lemos left at 12:00 noon.

On suggestion of Mrs. Steinberg, Mr. Callaghan stated the Staff would present to the Board some modified amendments to the regulation as a result of this joint meeting.

The following reports were presented:

Letter from Mr. Powell entitled, Staff Proposal Amending New Source Review Rules, dated March 9, 1978.

APCO report entitled, Proposed New Source Review Rule Draft, dated February 17, 1978, dated March 8, 1978.

APCO report entitled, Staff Response to Referrals Relative to New Source Review Procedures, dated March 3, 1978.

John F. Powell report entitled, Response to Statement of Western Oil & Gas Association Relative to New Source Review Rules, dated March 30, 1978.

APCO report entitled, Staff Response to Referrals Relative to New Source Review Procedures, dated March 28, 1978.

Statement by P.G. & E. before the BAAPCD on proposed New Source Review Rules, March 15, 1978.

Chairperson Chapman continued the public hearing to April 19, 1978; to be the first major item on the agenda.

Chairperson Chapman reopened the Public Hearing to Consider Adopting an Amendment to Regulation 2 Regarding Measurement of Opacity by In-Stack Monitors, and continued the hearing to July 12, 1978.

Mrs. Steinberg left at 12:10 p.m.

Mr. Cooper left at 12:11 p.m.

REPORT OF THE AIR POLLUTION CONTROL OFFICER
D. J. Callaghan

Legislation

Mr. Callaghan reported on the following legislation: AB-3251, AB-3050, AB-3049, AB-3278.

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Mr. Callaghan stated the ARB will hold a public hearing in San Francisco on April 27, 1978 with respect to a proposed energy rule concerning the use of natural gas and that the Staff would make a report to the Board at its next meeting for a determination as to whether or not the Staff should make a presentation to the ARB. Chairperson Chapman requested that said report be sent to the Board prior to April 19.

TIME AND PLACE OF NEXT MEETING

10:00 a.m., Wednesday, April 19, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:25 p.m.

Respectfully submitted,

Mabel Harder
Secretary

BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

2

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
April 19, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Sam Chapman,
Fred F. Cooper, Ralph P. Doetsch, Sr.,
Robert A. Grimm, James P. Kenny,
Quentin Kopp, Elwon Lance, Marguerite
Leipzig, James Lemos, Daniel A.
McCorquodale, Richard Oliver,
Gerald M. Poznanovich, Charles
Santana, Geraldine F. Steinberg,
Helen Tirsell.

BOARD MEMBERS ABSENT:

Barbara Boxer, John L. Molinari.

ADVISORY COUNCIL
MEMBERS PRESENT:

Marshall A. Kent, Chairperson;
Robert J. Debs, John L. Nicholson,
Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell,
Hulan F. Brinkley, Warren R. Crouse,
Milton Feldstein, Dario Levaggi,
Donald A. Monaghan, Edward W. McHugh,
John F. Powell, Mabel Harder.

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APR 26 1978

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Chairperson Chapman called the meeting to order at 10:00 a.m.

He welcomed Councilman Robert A. Grimm, City of Los Altos, as a member of the Board, replacing Mrs. Ruth H. Koehler.

APPROVAL OF MINUTES OF APRIL 5, 1978

SET PUBLIC HEARING FOR JUNE 7, 1978 TO CONSIDER
ADOPTING TECHNICAL CORRECTIONS TO REGULATION 3
RELATING TO STORAGE OF ORGANIC LIQUIDS

The following report was presented:

APCO Report, Public Hearing For Technical Corrections to Rule on Storage of Organic Liquids, Dated April 12, 1978.

COMMUNICATIONS

Richard Oliver, Secretary

The following communications were received:

Midwest Division
Ron Pair Enterprises Inc.

Literature on their equipment.

Joan Hinckley
City Clerk
City of San Mateo

Advising that Don F. Condon had been named Mayor of San Mateo.

Charles Kinney
Counselor at Law
Associated Building Industry
of Northern California

Expressing concern that Drs. Scott Lynn and Philip Roth had resigned from the Advisory Council and urging that they be invited to return to their positions; requesting that the scope of the Advisory Council's function be addressed; and that more technically oriented members are obtained for the Council.

Ann O'Hare
Secretary
Inter-City Council-Santa Clara County

Advising that Councilman Robert A. Grimm, City of Los Altos, had been appointed to the Board of Directors.

Michael Mitchell
Auditor-Controller
County of Marin

Enclosing 4 budget forms for planning purposes and requesting that two budgets be prepared and that the District be prepared to send either the Proposition 8 Budget or Proposition 13 Budget after the June election, no later than June 15, 1978.

Deni Greene
Director
Office of Permit Assistance
State of California

Advising of four workshops to be held, one in San Francisco on April 24, 1978, to discuss AB-884.

William H. Lewis, Jr.
Executive Officer
ARB

Concerning designation of Lead Agency for non-attainment planning, advising that the ARB has certified ABAG to lead the 1979 non-attainment planning process for the San Francisco Bay Area Air Basin.

Director Dan McCorquodale

Communication to the Personnel Committee proposing that the Board equalize the contribution under the benefit package to all management personnel, thus eliminating the inequity that now exists.

Norman A. Bonner
Member of Advisory Council

Advising that he agrees almost completely with the opinions expressed in the letters from Phil Roth, Scott Lynn and Joe Coons, and requesting the Board to consider its view of the function of the Advisory Council; and stating that the most effective way the Council can serve the Board is by consulting with Staff and Industry to arrive at the best collective opinion as to the facts.

Michael W. Kaufman
Planning Director
City of Suisun City

Regarding the revision of its General Plan.

S. M. Tatarian
Director of Public Works
City & County of San Francisco

commenting on the proposed New Source Review Rule, specifically §3109(e)(1)C, and recommending the language proposed by PG&E on March 15, 1978.

James F. Dehnert, Chairman
BALIA Air Resources Committee

enclosing copy of the New Source Review Rule developed and presented in Kern County which EPA has indicated as approvable.

Mr. Doetsch moved approval of the above consent calendar items; seconded by Mr. Kenny; carried.

REPORT OF EXECUTIVE COMMITTEE
Sam Chapman, Chairperson

Chairperson Chapman reported the Committee met prior to the Board Meeting and reviewed the Referrals to the Advisory Council; that the Referrals had been prioritized and that henceforth a Referral to the Council would be given a priority number; that the Committee approved Out-of-State travel for a Staff and Board member to attend the EPA Workshop on Consistency in Boston .

CONTINUATION OF PUBLIC HEARING TO CONSIDER ADOPTING
AMENDMENTS TO REGULATION 2 RELATING TO NEW SOURCE REVIEW

The following reports were presented:

APCO Report, Continued Public Hearing on New Source Review Regulation, dated April 12, 1978.

There was discussion on the major differences between the ARB's regulation, and District proposed §1309, regarding ARB and EPA approval of trade-offs.

Mr. Chapman opened the public hearing at 10:25 a.m.

The following made presentations:

Tom Merle
Bay Area Council

Presented an EPA Report entitled, Requirements For Preparation, Adopting and Submittal of Implementation Plans - Emission Offset Interpretive Ruling (40 CFR Part 51).

Jean Siri, President
West Contra Costa County Conservation League

In comments expressed concern that major garbage energy plants would be given an exemption and suggested that the matter of "Welfare" be reconsidered.

After discussion, Chairperson Chapman requested the Staff to inform the Board about the nature of a major permit application when it is received, and Staff analysis of the emissions.

Stanley L. Zwicker
Union Oil Company
Los Angeles

Opposed the District's proposed NSR; suggested that the rule comply with the EPA rule. He reviewed the Kern County rule; suggested the District get an opinion from EPA before adopting its rule.

Mr. McCorquodale arrived at 11:00 a.m.

Mr. Cooper suggested that the Staff analyze the Kern County Rule and compare it with the EPA Rules and the matter then discussed in 2-3 weeks.

After further discussion, Chairperson Chapman continued the public hearing until June 21, 1978.

Mr. Callaghan stated the Staff would provide a comparison of the District's regulation with that of Kern County, ARB, and the EPA's Interpretive Ruling with respect to impact on Industry and with respect to regulatory changes.

Mr. Cooper moved to agendaize said report for discussion on May 17 and continue the public hearing to June 21, 1978; seconded by Mr. Kenny; carried.

Mr. Lemos left at 11:05 a.m.

REPORT ON ARB PUBLIC HEARING SCHEDULED FOR APRIL 27
TO CONSIDER ADOPTING A RULE TO PROHIBIT BURNING OF
LIQUID AND SOLID FUELS IF NATURAL GAS IS AVAILABLE

The following report was presented:

APCO Report entitled, ARB Public Hearing, dated April 12, 1978.

After discussion, Mrs. Steinberg moved that the District send a representative to the Hearing to point out the problem of enforcement and give a general concurrence of the concept; seconded by Dr. Bacciocco; carried.

REPORT ON ARB LIGHTERING RULE

Mr. Bell reported on the ARB public hearing on April 14, 1978, at which the definition of coastal waters were discussed; that the District will be given 90 days to adopt a regulation.

Mr. Kopp arrived at 11:25 a.m.

Mr. Bell read from the Coast Guard's position on the regulation.

Mr. Poznanovich left at 11:26 a.m.

LEGISLATION

The following report was presented:

Status report on Legislation - 1977-78 Legislative Session, dated April 13, 1978.

Mr. Cooper left at 11:30 a.m.

Mr. Kopp moved that the Board support AB-2288 (Levine and Calvo); seconded by Mrs. Steinberg; carried.

Mrs. Leipzig left at 11:35 a.m.

Mr. McCorquodale moved that the Board support AB-3049 (Mello) if the legislation is modified to become statewide; seconded by Mrs. Steinberg; carried.

Mr. McCorquodale moved that the Board support AB-3251 (Levine, et al) seconded by Mr. Kopp; carried.

OTHER

The following report was presented:

Pending Referrals from Board of Directors, dated April 7, 1978.

- - -

Mrs. Steinberg called attention to the publicity that has been given to the sensor beam being developed by Stanford University. Mr. Feldstein outlined the background of this development.

- - -

Mr. Callaghan announced that there would be a joint meeting of the Budget & Finance and Personnel Committees on May 3, 1978, to receive the preliminary findings with respect to the salary and reclassification survey.

TIME AND PLACE OF NEXT MEETING

10:00 A.M. Wednesday May 3, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Mabel Harder
Secretary

MH:js

A1581

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BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
May 3, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch, Sr., Robert A. Grimm, James P. Kenny, Elwon Lance, James Lemos, Daniel A. McCorquodale, Richard Oliver, Gerald M. Poznanovich, Charles Santana, Geraldine P. Steinberg.

BOARD MEMBERS ABSENT:

Quentin Kopp, Laython N. Landis, Marguerite Leipzig, John L. Molinari.

HEARING BOARD MEMBER
PRESENT:

Kenneth A. Manaster, Chairperson.

ADVISORY COUNCIL
MEMBERS PRESENT:

Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell, Hulan F. Brinkley, Thomas Crawford, Warren R. Crouse, Milton Feldstein, Richard W. Grieves, Dario Levaggi, Donald A. Monaghan, Edward W. McHugh, John F. Powell, Mabel Harder.

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MAY 17 1978

UNIVERSITY OF CALIFORNIA

Chairperson Chapman called the meeting to order at 10:15 a.m.

APPROVAL OF MINUTES OF APRIL 19, 1978

COMMUNICATIONS

Richard Oliver, Secretary

The following communications were received:

Helen Tirsell
Chairperson
Personnel Committee

Suggesting that Mabel Harder's title be changed to, Clerk of the Board, and that the entire staff directed by the position should be a separate department and recommending this matter be agendized by the Personnel Committee for recommendation to the Board.

Mrs. Ralph Gleson

Suggesting that waste of taxpayers money be stopped, stating that Mr. Talbot commutes daily in a District automobile, and inquiring how many people were going to attend conventions this year.

Henry Thomas, Director
Standards and Regulations Divisions
Office of Noise Abatement and Control
EPA

Enclosing the proposed motor cycle noise regulation and requesting comments by June 16, 1978.

City Council
City of Suisun

Notice of public hearing to consider an amendment to the California Environmental Quality Act of 1970.

Senator John A. Nejedly

Expressing concern over the resignations of Drs. Lynn and Roth from the Advisory Council and requesting the Board's view on the issues raised.

Executive Enterprises Inc.
New York

Advising of a one day briefing on the Clean Water Act of 1977, on June 9, 1978, in Washington, D. C.

F. Ron Henrekin
Executive Director
The Coalition - Concerned Citizens Coalition of Solano County

Expressing concern over the resignations of Drs. Lynn and Roth, and stating that the majority of Council is not concerned with establishing a technical basis for recommending technical regulations and has become a Policy Advisory Council, and urging that the Council be instructed to return to its original purpose, and that Drs. Lynn and Roth be invited to return as members of the Council.

C. P. Sassenrath
Executive Officer
North Coast Air Basin

Copy of letter to Governor Brown enclosing Resolution urging the appointment of John R. Caton to the ARB.

Francine A. M. Griffiths
Santa Rosa

requesting a variance from Regulation 1 to avoid a fire hazard, and stating that they did not like the Dutch elm diseased branches to remain in the orchard and harbour the fireblight; that this would be a one time burn.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for April 1978, dated April 25, 1978; Director of Engineering Services Monthly Activity Report, May 21, 1978 to April 20, 1978; Director of Technical Services Monthly Activity Report, March 23 through April 19, 1978, dated April 20, 1978; Director of Public Information Monthly Activity Report March 25, 1978 - April 24, 1978; Status of Legal Matters - March 27, 1978-April 24, 1978; Controllers Appropriation Statement and Cash Position dated March 31, 1978.

Mr. Doetsch moved the approval of the above Consent Calendar items; seconded by Mrs. Boxer; carried.

Mr. Poznanovich arrived at 10:16 a.m.

AFFIRMATIVE ACTION REPORT

The following Air Pollution Control Officers' report was presented:

Affirmative Action Annual Report dated April 25, 1978.

Mr. Bell in his presentation stated that the Affirmative Action Council will be making a recommendation to the Air Pollution

Control Officer to change its present plan to make comparisons on a work force basis, rather than population basis for all groups. Mr. McCorquodale pointed out that the goals of the District needed to be put on the reporting form, and Mr. Bell stated this would be taken into consideration.

Mr. Cooper arrived at 10:20 a.m.

After further discussion, Mr. McCorquodale moved that the report be accepted; seconded by Mrs. Steinberg; carried.

REPORT OF JOINT MEETING OF PERSONNEL & BUDGET & FINANCE
COMMITTEES

Mrs. Steinberg reported on the meeting held prior to the Board meeting, at which Mr. Chester Beaman of the Institute for Man-power Management presented a status of the survey in which he recommended a 7 step salary schedule rather than 5; that the Committee did not take any action thereon nor on whether Mr. Beaman should be present at the June 7 Board meeting when the final report is presented inasmuch as additional costs may be involved.

There was discussion on whether the District should go to a 7 step salary schedule or remain at the 5 step, after which Chairperson Chapman stated that there would be general discussion thereon when the final report was presented.

There was discussion on whether Mr. Beaman should be present when the final report is made, Mr. Powell advising that the contract requires his work to be completed by June 1st. After discussion, Chairperson Chapman referred to Messrs. Callaghan and Powell the matter of negotiating with Mr. Beaman with respect to his attendance at the Board meeting on June 7 rather than at a Special meeting on May 31; that if his attendance on June 7 is not possible, the Board would decide on May 17 if it will hold a Special meeting on May 31.

Mr. Kenny left at 10:35 a.m.

HEARING BOARD QUARTERLY REPORT
Kenneth A. Manaster, Chairperson

Mr. Manaster presented the Hearing Board Quarterly Report as of April 1, 1978. He reviewed the permit revocation of Standard Oil Company of California, the dismissal of the action against Kaiser Cement & Gypsum Corporation, the revised Emergency Procedures of the Hearing Board with respect to unforeseeable upsets and the selection of Officers for 1978-79.

Mr. Powell outlined the reasons the District asked for a dismissal of the Accusation against Kaiser Cement & Gypsum Corporation.

Mr. Santana left at 10:55 a.m.

DISCUSSION ON MEMORANDUM OF UNDERSTANDING WITH ABAG

The following Air Pollution Control Officers report was presented:

Memorandum of Understanding With ABAG and MTC dated April 25, 1978. Mr. Feldstein reviewed the report and requested the following corrections:

Page 4, line 4, correct the spelling of, "Statutory".

Page 5 - paragraph 14 - correct the spelling of, "demand".

Page 5, paragraph 1, to read, " development of regional land use and population activity forecasts. "

Page 6 - line 2, correct the spelling of, "uniform".

Page 7 - change the word, "Chairman" to "Chairperson".

In discussion, Mrs. Boxer suggested rewording the Agreement with respect to the land use elements since the implementation thereof was dropped from AQMP. There was discussion on the Chairperson signing the MOU but that a covering letter be sent with it stating that the Board thinks that land use management programs no longer apply, given the action of the various members of ABAG, and that the parties contemplate that there will be no implementation of land use measures.

After further discussion, Mr. Cooper moved approval of the MOU, subject to a covering letter being sent as suggested; seconded by Mr. Doetsch; carried.

Chairperson Chapman requested the Staff to provide each Director with a copy of the cover letter.

DISCUSSION OF MAY EPA WORKSHOP ON CONSISTENT APPLICATION OF REGULATIONS

Mr. Feldstein presented a draft of Consistency Regulations for EPA dated May 3, 1978, and reviewed it.

In discussion, Mr. Feldstein stated that banking will be discussed in the interpretive ruling; Mr. Chapman stated that consistency of State implementation plans needs to be addressed as well as prevention and deterioration.

REPORT OF AIR POLLUTION CONTROL OFFICER

Report on April ARB Meeting Relating to Natural Gas Rule

In review of the proposed prohibition of burning of liquid and solid fuels if natural gas is available, Mr. Callaghan advised that the public hearing thereon set for April 27, 1978 was postponed to a later date; that he would keep the Board informed.

Mr. Cooper left at 11:25 a.m.

LEGISLATIVE REPORT

The following report was presented:

Status report on Legislation - 1977-78 Legislative Session, dated May 2, 1978.

Mr. Callaghan briefly reviewed AB-2288, AB-3049, AB-3251, SB-938.

Mr. Callaghan advised that the Legislative Subcommittees have taken no action on the ARB's request for \$2.9MM Subvention Funds.

OTHER

The following report was presented:

Pending Referrals from Board of Directors, dated April 19, 1978.

- - -

Mr. Callaghan advised that the ARB had certified the Emco Wheaton balanced system for attendant and self service use; that he would advise the Board when the nozzle is available in the District.

- - -

Mrs. Boxer reported on the efforts of the Ad Hoc Committee on Beautification of Office with respect to painting and carpeting the District offices, stating that a specific contract would be brought to the Board.

- - -

Mr. Grimm referred to the correspondence received with respect to the resignations of Drs. Lynn and Roth inquiring as to action thereon, Chairperson Chapman responding that the Officers of the Board met with the Officers of the Advisory Council to discuss mutual problems; that it was agreed that the Board Executive Committee would develop a statement on the role of the Council, send it to the Advisory Council for discussion, after which it would be agendized for Board adoption. Mr. Chapman advised that Dr. Lynn has reconsidered and will continue to serve on the Council; that he had attempted to contact Dr. Roth again.

Mrs. Boxer left at 11:45 a.m.

Charles Kinney
Counselor at Law
Associated Building Industry of Northern California

Commented on the MOU with ABAG and MTC, stating that he felt the letter should be more strongly worded and should address item 3 on page 5, "development, analysis and monitoring of the affects of land use on air quality"; that by signing the MOU the District might be committing itself to including the land use element in SIP.

After discussion, Dr. Bacciocco suggested that the cover letter also include a statement that no provision or recommendation of the MOU will be interpreted as the District relinquishing any statutory authority under the air quality program, and Chairperson Chapman so ordered.

TIME AND PLACE OF NEXT MEETING

10:00 A.M. Wednesday May 17, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12 Noon.

Respectfully submitted,

Mabel Harder
Secretary

MH:js

BAY AREA AIR POLLUTION CONTROL DISTRICT
 939 Ellis Street
 San Francisco, California 94109
 771-6000

SEATTLE GOVERNMENTAL
 LIBRARY

JUN 6 1978

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
 May 17, 1978
 10:00 a.m.

939 Ellis Street
 San Francisco
 California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,
 Sam Chapman, Fred F. Cooper,
 Ralph P. Doetsch, Sr., Robert
 A. Grimm, James P. Kenny,
 Quentin Kopp, Elwon Lance,
 Laython N. Landis, Marguerite
 Leipzig, James Lemos, Daniel A.
 McCorquodale, Geraldine F.
 Steinberg.

BOARD MEMBERS ABSENT:

Barbara Boxer, John L. Molinari,
 Richard Oliver, Gerald M.
 Poznanovich, Charles Santana.

ADVISORY COUNCIL
 MEMBERS PRESENT:

Marshall A. Kent, Chairperson;
 Robert J. Debs, William B.
 McCormick, Jack C. Oppenheimer,
 Walter Toney.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell,
 Hulan F. Brinkley, Warren R.
 Crouse, Milton Feldstein, Richard
 W. Grieves, Dario Levaggi,
 Donald A. Monaghan, Edward W.
 McHugh, John F. Powell,
 Douglas Winget, Mabel Harder.

Chairperson Chapman called the meeting to order at 10:10 a.m. A quorum was not present. He introduced Councilperson Laython N. Landis, as a Director.

REPORT OF EXECUTIVE COMMITTEE
Sam Chapman, Chairperson

Chairperson Chapman reported on the meeting held prior to the Board meeting.

Mr. Cooper arrived at 10:12 A.M. and a quorum was now present.

Chairperson Chapman reported that the Executive Committee reviewed the role of the Advisory Council, a draft of which will be forwarded to the Council for its comments and return to the Board Executive Committee for final recommendation to the Board.

Dr. Bacciocco arrived at 10:13 A.M.

Chairperson Chapman reported that the Subcommittee of the Executive Committee recommends that the Board authorize the District Staff to participate in any litigation necessary if Proposition 13 passes. Mrs. Steinberg so moved; seconded by Mr. Kenny; carried.

APPROVAL OF MINUTES OF MAY 3, 1978

COMMUNICATIONS
Richard Oliver, Secretary

Proclamation of Chairperson Chapman

With respect to Clean Air Week May 1 through May 7, 1978.

Luman C. Drake
Brisbane Citizen for Civic Progress

Copy of letter to Chairman Gordon Lau, Environment and Health, City and County of San Francisco Board of Supervisors with respect to the new P. G. & E. tank farm which will fuel a new incinerator for scavengers.

Robert Berman
Senior Planner
City of Fairfield

Enclosing Draft EIR for the proposed Solono Mall regional shopping center.

David A. Dorfman
Executive Officer
Sonoma Local Agency Formation Commission

Copy of Clearinghouse Procedures for Boundary Changes, Incorporations,
Special District Formations.

F. G. Nicar
Plant Manager
Allied Chemical Corporation

Statement to be made to the Board with respect to the proposed
amendments to the SO₂ Regulation.

Charles Kinney
Counselor at Law
Associated Building Industry of Northern California

Copy of letter to Rod Diridon, ABAG regarding the proposed Memorandum
of Understanding between ABAG, BAAPCD, and MTC, requesting an
explanation for the inclusion of land use control "programs" and
of the land use "development" in the proposed MOU.

Assemblyman Vic Fazio

Expressing the concerns about the means by which the District
communicates its regulations to the public and as to the
adequacy thereof; and suggesting that a program of informing
fire districts and other local agencies who deal routinely with
matters affecting air quality be developed, similar to that
for building inspection offices.

F. R. Bottomley, Chairman
Bay Area Technical Subcommittee
WOGA

Opposing the proposed amendments to the SO₂ Regulation, pointing
out that the applicable ambient air standards are not violated;
that the violated BAAPCD limits appear to be inconsistent with
air quality standards and with the District's older regulations;
and if the violated BAAPCD regulations have merit, the remedy
to their violation is localized abatement and not new, area wide
regulation.

John T. Hansen
Pillsbury, Madison & Sutro
Representing Stauffer Chemical Co.

Requesting that the public hearing on the proposed amendments
to the SO₂ Regulation be continued to June 21, 1978 in order to
give them time to review the ARB and District files in connection
with the proposed amendments; and opposing the proposed amendments
and supporting the modeling study recommended by the Advisory
Council.

Kenneth R. Anderson, President
Northern California Chapter of SPI

supporting proposed amendments to Regulation 3.

R. S. Cunningham
Exxon Company, U.S.A.

recommending that proposed amendments to SO₂ regulation be postponed until a technically adequate and up-to-date dispersion modeling study is conducted.

SET PUBLIC HEARING FOR JUNE 21, 1978 TO CONSIDER
AMENDING §1302.2 OF REGULATION 2 IN RELATION TO
THE EXPIRATION DATE FOR USE OF ONE STANDARD GASOLINE
DELIVERY NOZZLE AT SERVICE STATIONS

The following APCO report was presented: Set a Public Hearing to Consider Extension of the Exemption for the use of One Standard Gasoline Delivery Nozzle at Service Stations, dated May 10, 1978.

SET PUBLIC HEARING FOR JUNE 21, 1978 TO CONSIDER
AMENDING REGULATION 2 RELATING TO INCREASING PERMIT FEES

The following APCO report was presented: Request to Set a Public Hearing on Increasing Permit Fees, dated May 11, 1978.

Mr. Doetsch moved the approval of the above Consent Calendar items; seconded by Mr. Kenny; carried.

REPORT OF THE ADVISORY COUNCIL
Marshall A. Kent, Chairperson

Mr. Kent reviewed his report, Report of Advisory Council, dated May 11, 1978.

Mrs. Leipzig arrived at 10:15 A.M.

Mr. Feldstein reviewed the background of the in-stack monitoring for opacity recommendation, stating that the Staff recommended that it be allowed the use of in-stack violations of opacity; that the Technical Committee unanimously approved the Staff's proposal.

PRESENTATION OF 1978-79 PROPOSED BUDGET

Mr. Callaghan briefly reviewed the budget.

Mrs. Steinberg pointed out that although the budget increased 8.89%, the Staff had taken advantage of the increased property tax of 15.9%;

that she felt the revenue should be adjusted to take advantage only of the cost-of-living increase.

Dr. Bacciocco suggested that the Personnel and Budget & Finance Committees base the budget on last years tax rolls.

Mr. Cooper stated he felt there was a need to determine what the increased permit fees were going to be used for, stating that he felt they should be used for the purpose of independence from the ARB.

After discussion, Dr. Landis moved acceptance of the proposed budget and that it be referred to the Personnel and Budget & Finance Committees as discussed together with a transcript of the Directors' comments; seconded by Mrs. Leipzig; carried.

A joint meeting of the Personnel and Budget & Finance Committees was set for 9:00 A.M., June 14, 1978, to review the budget.

Mr. Callaghan presented an outline of the District's budget requirements should Proposition 13 pass, undated.

Mr. Doetsch left at 10:45 A.M.

PUBLIC HEARING TO CONSIDER AMENDING REGULATION 3
RELATING TO EMISSIONS OF ORGANIC GASES FROM
POLYESTER RESINS

Mr. Callaghan reviewed his report, Public Hearing to Consider Limits on Emissions of Polyester Resins, dated May 10, 1978.

Chairperson Chapman opened the public hearing at 10:50 A.M. Mr. Powell presented to the Secretary 9 Affidavits of Publication of Notice of Public Hearings. The following made presentations:

Kenneth R. Anderson
President
Northern California Chapter of SPI

Supported the proposed amendment. His letter dated May 12, 1978 was presented.

Tom Austin
Koppers Company

Supported the proposed amendment.

Robert Elliott
Royell

Supported the proposed amendment.

Chairperson Chapman closed the public hearing at 10:55 A.M.

Mr. Cooper moved the adoption of Resolution Number 1061, In The Matter of Amending Regulation 3 Relating to Organic Emissions From Polyester Resins; seconded by Mr. Kenny; carried on roll call.

AYES: BACCIOCCO, CHAPMAN, COOPER, GRIMM, KENNY, LANDIS, LEIPZIG, LEMOS, MCCORQUODALE, STEINBERG.

NOS: NONE

ABSENT: BOXER, DOETSCH, KOPP, LANCE, MOLINARI, OLIVER, POZNANOVICH, SANTANA.

PUBLIC HEARING TO CONSIDER AMENDING REGULATION 2
RELATING TO UPPER STACK LIMIT OF SO₂ FOR ACID PLANTS
AND SULFUR PLANTS

The following reports and statements were presented:

APCO Report entitled, SO₂ Emission Reductions - Public Hearing to Amend Regulation 2, dated May 10, 1978.

F. R. Bottomley, Chairman
Bay Area Technical Subcommittee
Western Oil & Gas Association

letter dated May 11, 1978.

R. S. Cunningham
Exxon Company U S A

letter dated May 15, 1978.

John T. Hansen
Pillsbury, Madison & Sutro
Representing Stauffer Chemical Company

letter dated May 12, 1978.

Bob Wrede
Counsel
Western Oil & Gas Association

statement on Proposed Amendments to §3123, Regulation 2, regarding SO₂ Emission Reductions.

There was discussion on continuing the public hearing because of the number of requests to so do, and the fact that only 10 Directors were present. There was discussion on endorsing the proposed modeling study, after which Mr. Cooper moved that the Staff be authorized to meet with Industry representatives with

respect to the modeling study and proceed as promptly as possible on whatever basis the Staff feels appropriate; that the Staff should consult with the Technical Committee of the Advisory Council; seconded by Mr. Kenny.

In discussion Mr. Feldstein outlined the modeling study, stating that any study would take 60-90 days.

The motion carried.

There was further discussion on continuing the public hearing after which Mr. Landis moved that the public hearing be continued until August 2, 1978, and that there be placed on the June 7 Board Agenda a progress report on the modeling study for the Board to review as to whether August 2 is a reasonable date; seconded by Mr. Cooper.

Mr. Kopp arrived at 11:16 A.M.

In discussion, the following made a presentation:

Dr. Wayne Williams
Citizens For A Better Environment

Supported the proposed amendments, stating that SO₂ had an impact on agriculture, and citing various data.

Mrs. Leipzig arrived at 11:22 A.M.

Dr. Williams was requested to furnish the Board in writing the data cited.

Mr. Callaghan furnished a copy of a letter received from
Mr. Thomas C. Austin
Executive Officer

ARB

entitled, Proposed Regulation on Sulfuric Acid and Sulfur Recovery Facilities, undated, expressing concern that the regulation presented to the Board had been changed from that mutually developed between the BAAPCD Staff and ARB Staff.

Ray Menebroker
Manager of Industrial Strategy Development Section
ARB

Reviewed the letter from Mr. Austin. He stated that their concern was the total suspended particulate standard in the San Joaquin Valley.

The motion carried.

OTHER

Robert Dwyer
Napa County Grape Growers Association

Requested that the burn periods be extended under §§3113 and 3114, Regulation 1.

The following letters supporting said request were presented:

Napa County Department of Agriculture enclosing a motion adopted by the Coast Counties Agricultural Commissioners Association, dated May 12, 1978.

Napa County Farm Bureau resolution adopted May 10, 1978. Relative to Agricultural Burn Days, undated.

There was discussion on the fact that in order for the regulation to be changed, a public hearing needed to be held; that to declare this request an emergency, was the responsibility of the Agricultural Commissioner; there was discussion on the responsibilities of the Fire Wardens and Agricultural Commissioners with respect to Regulation 1.

Mr. Cooper moved that the matter of amending Regulation 1, §§3113 and 3114 be set for public hearing on June 21, 1978, to change the burn dates; notice to include language, if it is legally possible, to allow the Board to suspend the Regulation under certain conditions, without public notice; seconded by Mr. Lemos; carried.

DISCUSSION OF EPA NEW SOURCE REVIEW INTERPRETIVE RULING AND NEW SOURCE REVIEW RULE AS PROPOSED IN KERN COUNTY

The APCO report entitled, Comparison of NSR Rules - EPA, Proposed Kern County and December 20th District Rule, dated May 9, 1978, was presented.

It was decided that discussion of this matter should be put over until June 7, 1978, when Mr. Feldstein could be present.

LEGISLATIVE REPORT

Mr. Callaghan reported on the following legislation:

AB-2288-Changing the name of the District. In the Senate Local Government Committee.

AB-3251-Allowing the District to establish an emissions fee. Passed Assembly Land Use and Energy Committee. To be heard before Ways and Means Committee.

Senate Joint Resolution Number 6 (Nejedly) memorializing Congress to review the Clean Air Act.

OTHER

Mr. Callaghan requested authorization to refund to The Southland Corporation a portion of their filing fee in amount of \$111.84, because their Application for Variance was withdrawn.

Mr. McCorquodale moved that said authorization be given; seconded by Mr. Kenny; carried.

- - -

The following report was presented: Pending Referrals from Board of Directors dated May 5, 1978.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES,
PERSUANT TO GOVERNMENT CODE §54957.6 TO REVIEW
BOARD'S POSITION AND INSTRUCT ITS DESIGNATED
REPRESENTATIVES RELATIVE TO CONSULTATIONS AND
DISCUSSIONS WITH REPRESENTATIVES OF EMPLOYEE ORGANIZATION

The following report was presented:

Dan Borst
President, BAAPCD Employee Association

Memorandum to D. J. Callaghan entitled, Preliminary Information for Meet and Confer Sessions dated May 16, 1978.

The Board went into Executive Session at 12:00.

TIME AND PLACE OF NEXT MEETING

Chairperson Chapman cancelled the meeting set for May 24, 1978. The next meeting will be held at 10:00 a.m. Wednesday June 7, 1978, 939 Ellis Street San Francisco, California.

The meeting adjourned at 12:30 P.M.

Respectfully submitted,

Mabel Harder
Secretary

MH:js

BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

INSTITUTE FOR GOVERNMENT STUDIES

JUN 10 1978

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
June 7, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

None.

BOARD MEMBERS ABSENT:

Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman,
Fred F. Cooper, Ralph P.
Doetsch, Sr., Robert A. Grimm,
James P. Kenny, Quentin Kopp,
Elwon Lance, Laython N. Landis,
Marguerite Leipzig, James
Lemos, Daniel A. McCorquodale,
John L. Molinari, Richard
Oliver, Gerald M. Pozanovich,
Charles Santana, Geraldine F.
Steinberg.

STAFF MEMBERS PRESENT:

Mabel Harder.

- - -

Ms. Harder called the meeting to order at 10:00 a.m. A quorum not being present, the meeting was adjourned to Wednesday, June 21, 1978, 10 a.m., 939 Ellis Street, San Francisco, California.

Respectfully submitted,

Mabel Harder
Secretary

MH:jl

4/581

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BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING
AND ADJOURNED REGULAR MEETING OF JUNE 7, 1978

Wednesday
June 21, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Sam Chapman,
Ralph P. Doetsch, Sr., Robert
A. Grimm, James P. Kenny,
Quentin Kopp, Elwon Lance,
Laython N. Landis, Daniel A.
McCorquodale, Richard Oliver,
Gerald M. Poznanovich, Charles
Santana.

BOARD MEMBERS ABSENT:

Edward J. Bacciocco, Jr.,
Barbara Boxer, Fred F. Cooper,
Marguerite Leipzig, John L.
Molinari, Geraldine F. Steinberg.

ADVISORY COUNCIL
MEMBERS PRESENT:

Robert J. Debs, Jack C. Oppenheimer

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell,
Hulan F. Brinkley, Warren R.
Crouse, Milton Feldstein, Terry
Lee, Dario Levaggi, Donald A.
Monaghan, Edward W. McHugh,
John F. Powell, Douglas Winget,
Mabel Harder.

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

JUN 30 1978

Chairperson Chapman called the meeting to order at 10:15 a.m. He welcomed Supervisor Larry Asera, Solano County, to the Board, who replaced Mr. Lemos.

APPROVAL OF MINUTES OF MAY 17, 1978 AND JUNE 7, 1978

COMMUNICATIONS

Richard Oliver, Secretary

Jean B. Siri, President
West Contra Costa Conservation League

Concerning resignation and reinstatement of Advisory Council members, stating the outcry of protest did not come from any public interest group but rather from industry, building trades, and Senator Nejedly; that the Board should not be intimidated by a minority of the Advisory Council.

Noel Knopf, Instructor
Science/Math Division
Solano Community College

Commending Mr. Paul Brand on his address before the class, Environment of Man.

Monsanto Chemical Facts Bulletin

Deni Greene
Director, Projects Coordination Unit
Governor's Office of Planning and Research

Summary of AB-884 with respect to the permitting process, and advising of workshops in Fresno and Redding.

Lawrence D. Dahms
Executive Director
MTC

Copy of letter to Ryan Tranter, ABAG, transmitting the MOU between ABAG, BAAPCD and MTC, signed by Louise Giersch.

Robert Berman
Senior Planner
City of Fairfield

Submitting copy of Draft EIR for the Kay Building Company's proposed residential development for review, and advising of the public hearing thereon on July 12, 1978.

John J. Roberts, Director
Energy Conservation & Applied Solar Programs
Argonne National Laboratory

Memorandum to Members of the APCA Technical Committee on Land Use and Transportation Policies with respect to the Technical Session on Emission Off-set Policies on June 27, 1978, and Committee meeting on June 28, 1978.

George D. Morris, President
Benicia Import Auto Services

Copy of letter to Assemblyman Vic Fazio commenting on Chairperson Chapman's letter to Assemblyman Fazio dated May 23, 1978.

R. W. Davis
Chevron U.S.A. Inc.

Proposing amendments to Regulation 3, §§3102.1a(1)(F) and 3102.1a(1)(E)

Manual D. Plotkin
Bureau of the Census
U.S. Dept. of Commerce

Survey with respect to research and development.

Jean B. Siri, President
West Contra Costa Conservation League

Concerning the resignation and reinstatement of Advisory Council members, pointing out that most members do not quit when their advice is not taken, nor awarded a chairmanship upon their return; that the protest came from industry and not from any public interest group; that the Board should not feel intimidated by a minority.

F. G. Nicor
Plant Manager
Allied Chemical Company

Copy of letter to Mr. D. J. Callaghan commenting on the proposed permit fee increases, stating there were no economic arguments to support them, said increase would add to the inflation; and suggesting that certain permit functions such as permits for replacement equipment or air pollution control equipment be curtailed.

Michael Mitchell
Auditor-Controller
County of Marin

Copy of letter to Marin County Board of Supervisors with respect to Proposition 13, advising that he could continue to meet the County payroll and vendor payments for the months of July and August only; and pointing out that since property taxes are in question, there is no basis for a loan, and pointing to the urgency of the situation.

Robert B. Presley & Walter M. Ingalls
Assembly Committee on Transportation

Copy of letter to Adriana Gianturco, Director, State Department of Transportation, and Tom Quinn, Chairperson, ARB expressing concern about the MOU between DOT and ARB, stating that the operating agreement may further complicate the already long and complicated government review process now required to fund major state transportation projects and inquiring how the agencies plan to ascertain the air quality impact of a regional transportation improvement program, and requesting their attendance at a special hearing on June 13, 1978.

Kenneth A. Manaster, Chairperson
Hearing Board

Copy of letter to Mr. D. J. Callaghan expressing concern about the reduction of Hearing Board Staff under the proposed new budget, and proposing that the Transportation and Travel account in its budget be reduced by \$1375, representing the customary lunch reimbursement, and \$1,000 in the Professional and Special Services account with respect to court reporter fees.

Assemblyman Vic Fazio

Expressing appreciation for the response to his inquiry about permit difficulties in Benicia.

Donald R. Ness
Chairman-Environmental Action Committee
Peninsula Manufacturers Association

Expressing concern about the proposed increase of permit fees, stating the information only became available to the public 4-5 days prior to the hearing; that the recommended increase was an exorbitant price to pay; that it should not cost 2½ times more to process a new source as it does for a modified source.

Geraldine Kretzmer
Point Richmond

Expressing concern at Judge Calhoun's decision with respect to Chevron's appeal of the Hearing Board's decision and requesting information on the steps the District is taking to appeal said decision.

James F. Dehnert, Chairman
BALIA Air Resources Committee

Suggesting changes to the New Source Review Rule, which incorporate the desirable features of the Kern County Rule, and pointing out they were consistent with the requirements of the Clean Air Act.

Luman C. Drake
Brisbane Citizens for Civic Progress Inc.

Copy of letter to Supervisor Gordon Lau, City and County of San Francisco with respect to the proposed incinerator near the Brisbane Garbage Palace.

James F. Dehnert, Chairman
BALIA Air Resources Committee

Requesting the Public Hearing on the proposed permit fees increase be continued because to date they have not received a "detailed report" for review and comment.

Robert B. Presley, Chairman
Senate Transportation Committee

and

Walter M. Ingalls, Chairman
Assembly Transportation Committee

Copy of letter to Tom Quinn and Adriana Gianturco, outlining the Joint Senate/Assembly Transportation Committee requests to be implemented prior to the Joint Committee hearing on August 8, 1978.

DIVISION MONTHLY REPORTS

The following reports were presented: Director of Enforcement Monthly Activity Report for May 1978; Director of Engineering Services Monthly Activity Report April 21, 1978 to May 20, 1978; Status of Legal Matters - April 25, 1978 - May 30, 1978.

REPORT ON PERMIT APPLICATIONS OF WICKLAND OIL AND EXXON

The APCO report, Status Report on Permit Applications of Wickland Oil and Exxon Corporation, dated May 31, 1978, was presented.

APPROVAL OF AMENDED MEMORANDUM OF UNDERSTANDING WITH ABAG AND MTC

The APCO report entitled, Memorandum of Understanding between BAAPCD, ABAG and MTC, dated May 25, 1978 was presented.

CERTIFICATION AND RECERTIFICATION OF EMPLOYEE REPRESENTATION GROUPS

The APCO report entitled, Board Certification of Employee Organizations for Representation of Employee Groups, dated

June 14, 1978, was presented.

REPORT ON MANPOWER MANAGEMENT SURVEY

Chairperson Chapman pointed out that the Board was receiving the report, not approving it.

REPORT ON NATURAL SOURCES OF HYDROCARBONS AND
OZONE FORMATION

The APCO report entitled, Natural Sources of Hydrocarbons and Ozone Formation in the District, dated May 31, 1978, was presented.

Mr. Doetsch moved that the above Consent Calendar Items be approved; seconded by Mr. Landis; carried.

REPORT OF EXECUTIVE COMMITTEE
Sam Chapman, Chairperson

Chairperson Chapman reported that the Executive Committee met prior to the Board meeting and agreed that the Board should meet on June 28th to discuss the budget and financial problems of the District, as well as any agenda items which may be carried over from today's meeting.

- - -

Mr. Callaghan requested approval of out-of-state travel for the following individuals, at no cost to the District:

Peter Hess attendance at the APCA meeting in Houston, Texas
June 26-30, 1978.

Jim Sandberg attendance at the AAS meeting in Seattle,
June 13-17, 1978.

Mr. Doetsch moved that approval be given; seconded by Mr. Asera; carried.

PUBLIC HEARING TO CONSIDER ADOPTING AN AMENDMENT TO
REGULATION 2, SECTION 1302.2 RELATING TO THE EXPIRATION
DATE FOR USE OF ONE STANDARD GASOLINE DELIVERY NOZZLE
AT SERVICE STATIONS

The APCO report entitled, Public Hearing to Consider Extension of the Exemption for Use of One Standard Gasoline Delivery Nozzle at Service Stations, dated June 14, 1978, was presented.

Chairperson Chapman opened the public hearing at 10:25 a.m.

Mr. Powell furnished the Secretary 9 Affidavits of Publication of Notice of Public Hearing.

No member of the public made a presentation.

Mr. McCorquodale moved that the public hearing be closed at 10:26 a.m.; seconded by Mr. Doetsch; carried.

Mr. McCorquodale moved the adoption of Resolution No. 1062, In the Matter of Amending Regulation 2 Relating to Vapor Recovery Systems; seconded by Mr. Landis; carried on roll call:

AYES: ASERA, CHAPMAN, DOETSCH, GRIMM, KENNY, LANCE, LANDIS, MCCORQUODALE, OLIVER, POZNANOVICH, SANTANA.

NOS: NONE.

ABSENT: BACCIOCCO, BOXER, COOPER, KOPP, LEIPZIG, MOLINARI, STEINBERG.

PUBLIC HEARING TO CONSIDER ADOPTING AN AMENDMENT TO REGULATION 1, SECTION 3113 AND 3114 TO EXTEND AGRICULTURAL BURNING DATES

The APCO report entitled, Public Hearing for Extension of Agricultural Burning Periods, dated June 14, 1978 was presented.

Mr. McCorquodale suggested that rather than changing the regulation, it be made flexible to allow the Board to extend the burn period beyond April 30th depending on the type of year.

Chairperson Chapman opened the public hearing at 10:35 a.m.

Mr. Powell presented to the Secretary 9 Affidavits of Publication of Notice of Public Hearing.

The following made a presentation:

Al Delfino
Agriculture Commissioner, Napa County

Requested the Regulation be amended as proposed, but that amending it in the manner to give the Board discretion to extend the burn period would also be acceptable.

Mr. McCorquodale moved the public hearing be closed at 10:36 a.m.; seconded by Mr. Landis; carried.

After discussion of Mr. McCorquodale's suggestion and some proposed wording submitted by him, Mr. McCorquodale moved the adoption of Resolution No. 1063 In the Matter of Amending Regulation 1 Relating to Agricultural Burning Periods, incorporating suggested changes made by Mr. Powell as follows:

§3113 - Last line to be changed to: Period between October 1 and April 30; however upon the determination of the Air Pollution

Control Officer that heavy winter rainfall has prevented such burning, the burn period shall be extended until June 30.

§3114 - Last two lines to read, "- - - beginning November 1 and ending April 30; however upon the determination of the Air Pollution Control Officer that heavy winter rainfall has prevented such burning, the burn period shall be extended until June 30.

Seconded by Mr. Doetsch; carried on roll call:

AYES: ASERA, CHAPMAN, DOETSCH, GRIMM, KENNY, LANCE, LANDIS, McCORQUODALE, OLIVER, POZNANOVICH, SANTANA.

NOS: NONE.

ABSENT: BACCIOTTO, BOXER, COOPER, KOPP, LEIPZIG, MOLINARI, STEINBERG.

PUBLIC HEARING TO CONSIDER ADOPTING AN AMENDMENT TO REGULATION 2, RELATING TO INCREASING PERMIT FEES

The Air Pollution Control Officer's report entitled, Increase in Permit Fees, dated June 14, 1978 was presented.

Mr. Feldstein reviewed his report, History of Permit Fee Regulation, undated.

Mr. Kopp arrived at 10:45 a.m.

Chairperson Chapman opened the public hearing at 11:05 a.m.

Mr. Powell presented to the Secretary 9 Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Nick Argimbau
Sierra Club

Supported the proposed amendments,

Charles Kinney
Associated Building Industry

Requested more information on how the proposal was arrived at, referring to the APCO reports to the Board on October 28, 1976, and to the Technical Committee on February 15, 1977; recommended the matter be referred to the Advisory Council.

Jack C. Oppenheimer, Secretary
Advisory Council

Spoke in opposition to the matter being referred back to the Advisory Council, pointing out that they had recommended the formula adopted by the Board; that the Council did not have the resources to dispute the Staff's allocation of cost.

Bernard Yarash

Suggested the burden of cost be placed on the automobile, and presented a document entitled, Can the Corporations Survive, by Michael C. Jensen and William H. Meckling.

Annette Green
Pacific Gas and Electric Company

Requested the detailed basis for the Staff's proposal.

Chairperson Chapman closed the public hearing at 11:33 a.m.

Mr. Grimm expressed concern that the fees proposed would be the same for all sources regardless of size. Mr. Oppenheimer reviewed the Council's deliberation on the matter.

Mr. McCorquodale moved the adoption of Resolution No. 1064, In the Matter of Amending Regulation 2, Relating to Permits and Permit Fees; seconded by Mr. Poznanovich.

In discussion, Mr. Kenny expressed concern that if funds are not available, the District could be dissolved; Mr. Callaghan referred to SB-3251, which would allow the District to impose emission fees, stating that if enacted this would reduce the District's reliance on property taxes.

Mr. Kopp requested that in view of the public's concern about a detailed breakdown of the basis of the Staff's proposal that assurance be given that the figures were within H&S Code Section 42311, Mr. Feldstein responding that he had taken the cost listed in the Proposed 1977-78 Fiscal Year Budget, allocating 75% of the Engineering Division's cost for this work, and 25% of the costs of the other Divisions.

Mr. Powell explained his understanding of the counties obligation to the District under Proposition 13.

After further discussion, the motion carried on roll call:

AYES: ASERA, CHAPMAN, DOETSCH, GRIMM, KENNY, KOPP, LANCE,
McCORQUODALE, OLIVER, POZNANOVICH.

NOS: LANDIS, SANTANA.

ABSENT: BACCIOCCO, BOXER, COOPER, LEIPZIG, MOLINARI,
STEINBERG.

PUBLIC HEARING TO CONSIDER ADOPTING TECHNICAL COR-
RECTIONS TO REGULATION 3, RELATING TO COMPLIANCE
DATES FOR STORAGE OF ORGANIC LIQUIDS.

The APCO's report entitled, Technical Amendments to Regulation 3: Storage of Organic Liquids, dated May 31, 1978 was presented.

Chairperson Chapman opened the public hearing at 12:05 p.m.

Mr. Powell presented to the Secretary 9 Affidavits of Publication of Notice of Public Hearing.

The following made presentations:

Jim Toney
Chevron U.S.A. Inc.

Referred to their letter of June 5, 1978, requesting an amendment to §3102.1a (1)(F) and §3201.1a(1)(E).

Chairperson Chapman closed the public hearing at 12:07 p.m.

Mr. Feldstein requested a correction on Page 10 of the proposed amendments under (E), line 6 to read, "In all other cases, four such locations - - -".

Mr. McCorquodale moved the adoption of Resolution No. 1065, In the Matter of Amending Regulation 3, Relating to the Storage of Organic Liquids; seconded by Mr. Doetsch; carried on roll call:

AYES: ASERA, CHAPMAN, DOETSCH, GRIMM, KENNY, KOPP, LANCE, LANDIS, MCCORQUODALE, OLIVER, SANTANA.

NOS: NONE.

ABSENT: BACCIOCCO, BOXER, COOPER, LEIPZIG, MOLINARI, POZNANOVICH, STEINBERG.

Mr. Kopp moved that the following agenda items be continued until June 28, 1978 meeting:

Discussion of EPA New Source Review Interpretative Ruling and New Source Review Rule as Proposed in Kern County, and Public Hearing to Consider Adopting Amendments to Regulation 2, Relating to New Source Review.

Status Report on SO₂ Modelling Study.

Report of Air Pollution Control Officer.

Seconded by Mr. Kenny; carried.

APPOINTMENT OF NOMINATING COMMITTEE FOR SELECTION OF
NEW OFFICERS FOR 1978-79 FISCAL YEAR

Chairperson Chapman appointed the following Directors to the Committee: Edward J. Bacciocco, Jr., Ralph P. Doetsch, Sr., Gerald M. Poznanovich, Geraldine F. Steinberg, Sam Chapman, Chairperson.

OTHER

Mr. McCorquodale requested that the Staff submit to him an updated report on the odor problem from the egg ranch in Santa Clara County.

- - -

Daniel Borst, President
BAAPCD Employee Association

Submitted a written presentation dated June 21, 1978 with respect to the MOU and time period for negotiation.

EXECUTIVE SESSION

The Board went into Executive Session at 12:15 p.m.

TIME AND PLACE OF NEXT MEETING

10:00 a.m., Wednesday, June 28, 1978, 939 Ellis Street,
San Francisco, California.

The meeting adjourned at 1:10 p.m.

Respectfully submitted,

Mabel Harder
Secretary

MH:js

BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

MINUTES
ARY

JUL 28 1978

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
June 28, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Barbara Boxer,
Sam Chapman, Fred F. Cooper,
Ralph P. Doetsch, Sr., Robert
A. Grimm, James P. Kenny,
Lathan N. Landis, Marguerite
Leipzig, Daniel A. McCorquodale,
Richard Oliver, Charles Santana.

BOARD MEMBERS ABSENT:

Edward J. Bacciocco, Jr.,
Quentin Kopp, John L. Molinari,
Gerald M. Poznanovich, Geraldine
S. Steinberg.

ADVISORY COUNCIL
MEMBERS PRESENT:

Robert J. Debs, William B.
McCormick, Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Hulan F. Brinkley,
Warren R. Crouse, Milton Feldstein,
Dario Levaggi, Donald A. Monaghan,
Edward W. McHugh, John F. Powell,
Douglas Winget, Mabel Harder.

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Chairperson Chapman called the meeting to order at 10:10 a.m. He welcomed Councilwoman M. Patricia Hilligoss, City of Petaluma, as a Director replacing Mr. Poznanovich as of July 1, 1978.

APPROVAL OF MINUTES OF JUNE 21, 1978

Ms. Harder requested an addition to the minutes on page 10, paragraph 10, line 3 to read, "Organic Liquids including Mr. Toney's request to amend §3102.1a(1)(F) and the addition to (E), line 6, adding the words as requested by Mr. Feldstein, 'In all other cases'; - - -"

COMMUNICATIONS
Richard Oliver, Secretary

Dan Borst, President
BAAPCD Employee Association

Requesting opportunity to make a presentation to the Board on June 28, 1978.

Glenn Affleck
Environmental Control Coordinator
Hewlett-Packard

Expressing concern with the 5 mile limitation for hydrocarbon emission off-sets contained in the proposed New Source Review Regulation, and requesting that hydrocarbons be excluded from such limitation.

Richard H. Fahey
Martinez Petroleum, Inc.
Martinez

Expressing concern over the new permit fee schedule as it affects small businesses, and suggesting that for tanks under 3,000 gallons capacity, and an annual throughput of less than 50,000 gallons, the fee structure be returned to \$100 for authorization to construct, and \$20 for a permit to operate.

ARB and Dept. of Transportation

Notice of Public Hearing in Los Angeles on July 10, and Oakland on July 11, 1978 with respect to the impact of the Clean Air Act on the planning and construction of transportation facilities.

Marshall A. Kent, Chairperson
Advisory Council

with respect to Role of the Advisory Council.

Mr. Doetsch moved the approval of the above Consent Calendar items, with the inclusion of the addition to the Minutes; seconded by Mr. Kenny; carried.

DISCUSSION OF DISTRICT OPERATIONS FOR
1978-79 FISCAL YEAR

Mr. Callaghan reviewed the sources of income: State Subvention Funds, Federal Grants, Permit Fees, Fund Balance Available, General Reserve and Miscellaneous Revenue; that AB-3251 which would allow the District to impose an emissions fee, will be heard in the Senate in August, having passed the Assembly; that it would allow the District to impose fees up to the budget amount for the 1977-78 Fiscal Year of \$6,420,000.

Mr. Powell outlined SB-154, stating that because of the definition of Special Districts and Local Agencies, the District could have difficulty in getting its monies from the Counties; that there was need for clarification from the State Controller's Office with respect thereto.

Mr. McCorquodale pointed out that SB-154 intended that Special Districts go off the property tax rolls and that the District could achieve this by the Counties paying their amounts from sources other than property taxes and suggested the District continue with its accepted 1978-79 Fiscal Year Budget and request said amounts from the Counties less that to be received from the increased permit fees. Director Cooper opposed the proposal, suggesting that the District request monies from the State Controller's Fund for multi-County Districts, the total of which is \$125MM.

Mr. Oliver arrived at 10:40 a.m.

Mr. Callaghan advised that the District was not obligated to adopt a budget before the end of August and recommended that the District continue for two months under its present program during which time the financing of the District could be determined; that this would not affect the personnel in the District at the present time.

Mr. Cooper moved that the District direct its strategy towards getting funds from the State Controller's Fund for Multi-purpose Districts; that the Staff provide a comparison of revenue for the current year and project that to be received for the coming year, using various assumptions; seconded by Mrs. Boxer.

In discussion, Mrs. Boxer moved an amendment to the motion, that the District for the months of July and August spend at the current levels and a review made at the end of that time, which amendment was not acceptable to Mr. Cooper.

After further discussion, Chairperson Chapman divided the question and the Board voted unanimously to direct the Staff to do whatever is necessary to seek funds from the State Controller's Fund for Multi-purpose Districts; and to provide a written report at the next Board meeting of the revenues with the necessary assumptions; and explore the various areas suggested by Director McCorquodale.

There was discussion on the level of operations for the next couple of months, Mr. Callaghan outlining the areas in which the District could economize as: freezing of salary increases, freezing of any capital outlay, reducing operating costs by eliminating or curtailing such publications as Air Currents, Weather Contaminant Summary, reduction in the printing and reproduction accounts, no out-of state travel and trips within the State limited, reduction of reproduction and mailing, shifting the Vehicle Patrol to a more productive area and he requested that he be authorized to shift such personnel as of July 1, 1978, to the areas of service stations and tanks enforcement.

There was discussion on authorizing Mr. Callaghan to shift Vehicle Patrol personnel, Mr. Oliver suggesting the program be reviewed before eliminating it.

After further discussion, Mr. Cooper moved that the Board adopt a hiring freeze; that any position which needed to be filled to receive the Board's approval; that Department Heads to the Board in writing if Mr. Callaghan denies their request to fill a position; seconded by Mr. Kenny.

In discussion, Ms. Harder requested authorization to fill one of her two Senior Clerk Stenographer positions which were vacant. After discussion, Mr. Cooper accepted said authorization as part of his motion, and the motion carried.

Mr. Cooper moved that Mr. Callaghan present to the Board at its next meeting a line-item budget, with specific proposals for each line-item; seconded by Mrs. Boxer.

Mr. Landis moved a substitute motion that Mr. Callaghan be given the authority to eliminate the Seven Vehicle Patrol Inspectors at his discretion, but no later than September 1, 1978. There was no second.

The motion carried.

Chairperson Chapman requested that the Vehicle Patrol be a specific agenda item at the next meeting; that the Staff present back-up information; that members of the Vehicle Patrol to have an opportunity to make a presentation to the Board if they desire.

Mr. Cooper requested the Staff to explore the options for charging for District documents, or allowing the public to bring in a stamped envelope to receive the materials.

Mrs. Leipzig left at 11:10 a.m.

Chairperson Chapman directed the Staff to work vigorously to find alternatives of funding from the State, rather than asking the Counties for money and to inform him as soon as anything develops; that if necessary, the Directors will be called to conduct lobbying efforts.

Mrs. Boxer left at 11:15 a.m.

DISCUSSION OF EPA NEW SOURCE REVIEW INTERPRETIVE
RULING AND NEW SOURCE REVIEW RULE AS PROPOSED IN
KERN COUNTY, AND PUBLIC HEARING TO CONSIDER ADOPTING
AMENDMENTS TO REGULATION 2, RELATING TO NEW SOURCE
REVIEW

Mr. Feldstein reviewed the proposed regulation, the Kern County Rule and EPA's Interpretive Rule, as contained in the APCO's report entitled, Comparison Of NSR Rules - EPA, Proposed Kern County and December 20 District Rule, Dated May 9, 1978.

The APCO's report Continued Public Hearing on New Source Review Regulation, dated April 12, 1978, was presented.

During discussion, Mr. Cooper requested Mr. Feldstein to furnish him a written report on the Wickland Oil Company and Exxon USA permit denials as to the fact that the Kern County and EPA definitions of BACT would have allowed those sources to build, whereas the District's definition would not; as well as an analysis of the difference in emissions between the Staff's definition and the ARB's; and an estimate as to the differences in cost.

Chairperson Chapman opened the public hearing at 11:30 a.m.

The following made presentations:

James F. Dehnert, Chairman
BALIA Air Resources Committee

Referred to his letter of June 12, 1978, and outlined the areas of disagreement with the Staff; opposed to the definition of BACT; the 15 lb. rule in §1308 and the inconsistency between modified and new sources; recommended that 1.2 to 1 ratio be used in lieu of greater than 1.

Fran Du Melle
Bay Area Lung Association

Presented a written statement supporting the proposed regulation and suggested some changes specifically with respect to the use of

BACT, and expressing concerns with certain sections.

Glenn Affleck
Environmental Control Coordinator
Hewlett-Packard Company

Referred to his letter of June 23, 1978, requesting that the 5 mile limitation on hydrocarbons be eliminated.

Ruth Koehler
Los Altos, Ca.

Suggested that there be some specific language in the rule with respect to resource recovery.

Thomas O. Merle
Associate Director
Bay Area Council

Presented a written statement, suggesting the Board adopt the compromised NSR rule as an interim measure, and instruct the Staff to analyze the advantages and pitfalls of the growth allowance approach, and report.

Chairperson Chapman directed the Staff to analyze Mr. Merle's presentation and comment on it at the continued public hearing.

Chairperson Chapman requested the Staff to prepare a letter to the ARB for his signature inquiring as to their timetable for considering the Kern County rule, and when they might make a decision with respect thereto.

Annette Green
PG&E

Pointed out there were some items in the BALIA proposal which were not in the Kern County rule, but which were important.

Director Cooper requested she send a letter to the Board prior to the next public hearing expressing her concerns.

Mr. Cooper moved that the public hearing be continued to August 2, 1978; seconded by Mr. Landis; carried.

STATUS REPORT ON SO₂ MODELING STUDY

Mr. Feldstein reviewed the status of the study, stating the Staff has met with Industry and the Advisory Council on two occasions; that the next meeting is scheduled for July 11; that the Staff has prepared a draft research proposal and that the Request for Proposal will be submitted to the Board for approval; that there is a question of administration of the contract and the selection of the contractor.

Robert J. Debs

Presented a written statement dated June 28, 1978, expressing concern that the District not be involved in a possible conflict of interest situation; that the Steering Committee approach is a poor precedence to set; that the Staff must be assured and instructed by the Board to take sole control.

William B. McCormick

Stated he felt Industry wanted a proper study; that the District should not become involved in the details except for general parameters.

In discussion, Mr. Feldstein stated that there would be no study if the Staff felt there was any indication of a request being made that with which it did not agree. Mr. Kenny expressed concern that any opinion from the Advisory Council should be on the basis of a majority and minority opinion, not individual opinions.

Mr. Cooper moved that prior to the next meeting, the District indicate to Industry that the money should be forthcoming now, and that the District will administer the study; that if the funds are not forthcoming, it would be Industry's obligation to carry out the study and administer it. There was no second.

It was agreed that the Board would review the RFP at the next meeting, and discuss who will administer the study.

Nick Argimbau
Sierra Club

Reviewed the background of the proposed study, stating that the matter had been studied to death; that it was inappropriate for the Staff to consult only with the Technical Committee since there was a split on the issue between that Committee and the Public Health Committee.

REPORT OF AIR POLLUTION CONTROL OFFICER

Legislation

Continued to the next meeting. The Status Report on Legislation 1977-78 Legislative Session, dated June 14, 1978, was presented.

OTHER

Mr. Callaghan requested the return of \$100 filing fee to Pacific Gas and Electric Company because their Interim Variance hearing request was denied by the Hearing Board. Mr. Oliver so moved; seconded by Mr. Kenny; carried.

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Mr. Callaghan requested that the Board refer to the Advisory Council the proposed ARB regulation on Volatile Organic Compound Emissions from light and medium duty motor vehicle assembly plants, and the proposed regulation for the Control of Organic Emissions from dry cleaners, and report back to the Board. Chairperson Chapman so ordered, and it was agreed that the priority assigned to these referrals would be at the bottom at the Referral list, and that they would be reassigned to a higher priority if it becomes necessary.

- - -

Adopted Resolution No. 1066, In the Matter of Expressing the Appreciation of the Board of Directors of the Bay Area Air Pollution Control District to Helen Tirsell For Her Services; on motion of Mr. McCorquodale; seconded by Mr. Doetsch; carried on roll call:

AYES: ASERA, CHAPMAN, COOPER, DOETSCH, GRIMM, KENNY, LANDIS, MCCORQUODALE, OLIVER, SANTANA.

NOS: NONE.

ABSENT: BACCIOCCO, BOXER, KOPP, LEIPZIG, MOLINARI, POZNANOVICH, STEINBERG.

- - -

Adopted Resolution No. 1067, In the Matter of Expressing the Appreciation of the Board of Directors of the Bay Area Air Pollution Control District to Gerald M. Poznanovich For His Services; on Motion of Mr. Oliver; seconded by Mr. Kenny; carried on roll call:

AYES: ASERA, CHAPMAN, COOPER, DOETSCH, GRIMM, KENNY, LANDIS, MCCORQUODALE, OLIVER, SANTANA.

NOS: NONE.

ABSENT: BACCIOCCO, BOXER, KOPP, LEIPZIG, MOLINARI, POZNANOVICH, STEINBERG.

- - -

Mr. Doetsch referred to the communication from Martinez Petroleum, Inc., requesting a report back from the Staff on the matter. Chairperson Chapman requested that the concerns therein be addressed when the budget program is presented to the Board at its next meeting; that the Staff confirm or deny the validity of the statements made therein.

- - -

Dan Borst, President
BAAPCD Employee Association

Presented a written statement rejecting Management's layoff and recall procedures as a provision of the extension of the present MOU to August 31, 1978.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES,
PURSUANT TO GOVERNMENT CODE §54957.6 TO REVIEW
BOARD'S POSITION AND INSTRUCT ITS DESIGNATED
REPRESENTATIVES RELATIVE TO CONSULTATIONS AND
DISCUSSIONS WITH REPRESENTATIVE OF EMPLOYEE
ORGANIZATION

The Board went into Executive Session at 12:50 P.M.

TIME AND PLACE OF NEXT MEETING

10:00 A.M., Wednesday July 12, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 1:30 P.M.

Respectfully submitted,

Mabel Harder
Secretary

MH:js

A1581

BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

2

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
July 12, 1978
10:00 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman, Ralph
P. Doetsch, Sr., Robert A. Grimm,
M. Patricia Hilligoss, James P.
Kenny, Quentin Kopp, Lathan N.
Landis, Daniel A. McCorquodale,
Richard Oliver, Charles Santana.

BOARD MEMBERS ABSENT:

Fred F. Cooper, Marguerite Leipzig,
John L. Molinari, Geraldine F.
Steinberg.

ADVISORY COUNCIL
MEMBERS PRESENT:

Scott Lynn, Chairperson; Jack C.
Oppenheimer.

STAFF MEMBERS PRESENT:

D.J. Callaghan, Elvan P. Babylon,
Thomas F. Bell, Hulan F. Brinkley,
Warren R. Crouse, Milton Feldstein,
Dario Levaggi, Robert Matson,
Edward W. McHugh, John F. Powell,
Douglas Winget, Mabel Harder

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UNIVERSITY OF CALIFORNIA
LIBRARY

JUL 28 1978

UNIVERSITY OF CALIFORNIA

Chairperson Chapman called the meeting to order at 10:22 A.M.

APPROVAL OF MINUTES OF JUNE 28, 1978

COMMUNICATIONS
Richard Oliver, Secretary

The following communications were received:

Unsigned

Clipping entitled, Smog Board Asks to Cut Spending, with note regarding cost of meals at Jack Tar Hotel.

Charles Kinney
Counselor at Law
Associated Building Industry of Northern California

Expressing concern the publication of Air Currents and Minutes of the various meetings might be discontinued, and suggesting that these could be furnished to the public by subscription.

Martha Fibush
Oakland

Supporting continuation of the District's monitoring and enforcement services.

Monsanto Company

Chemical Facts Bulletin dated June 19, 1978.

W. H. Barr
Pacific Gas & Electric Company

Opposing the proposed Instack Opacity Regulation, stating it largely duplicates the Ringelmann standard; will add a considerable administrative burden on industry and the District; will not result in a decrease in the present enforcement efforts, and will accomplish little additional air pollution reduction; that if the Regulation is adopted that its effective date be 9 months following adoption and that an exemption for soot blowing be provided, and attaching the proposed exemption.

Mrs. Diana Pereira
Fremont

Expressing concern that the Vehicle Patrol will be discontinued.

Yolanda C. Stefani
Alameda

Expressing concern that the Vechicle Patrol will be discontinued.

University of Southern California
School of Public Administration

Brochure on a new program entitled, Land Use and Natural Resource
Administration.

Sharon M. Collett
San Lorenzo

Expressing concern that the Vechicle Patrol will be discontinued.

Richard T. Rubiolo
San Lorenzo

Expressing concern that the Vechicle Patrol will be discontinued.

US Dept. of Commerce
Bureau of Census

Survey with respect to local government participation in
research and development.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for June, 1978;
Director of Technical Services Monthly Activity Report, May 25
through June 21, 1978; Director of Engineering Services Monthly
Activity Report, May 21, 1978 through June 20, 1978; Director of
Public Information Monthly Activity Report May 31, 1978 through
June 30, 1978; Status of Legal Matters - May 31, 1978 through
June 26, 1978; Controller's Appropriation Statement & Cash
Position May 31, 1978.

SET PUBLIC HEARING FOR SEPTEMBER 6, 1978 TO CONSIDER
AMENDING REGULATION 3 REGARDING LIMITING EMISSIONS OF
VOLATILE ORGANIC COMPOUNDS FROM VALVES AND FLANGES AT
PETROLEUM REFINERIES

The APCO'S report, Request to Set a Public Hearing to Consider
Amending Regulation 3 Relating to Organic Emission from Valves
and Flanges at Petroleum Refineries, dated July 6, 1978, requesting
a Public Hearing be set for September 6, 1978, was presented.

Mr. Doetsch moved the approval of the above Consent Calendar items;
seconded by Mr. Kenny; carried.

Mr. Santana arrived at 10:23 A.M.

REPORT OF NOMINATING COMMITTEE
AND ELECTION OF OFFICERS FOR
1978-1979
Sam Chapman, Chairperson

Chairperson Chapman reported that the Nominating Committee comprised of Directors Bacciocco, Doetsch, Poznanovich, Steinberg and Chapman recommended the following for Officers for the 1978-79 Fiscal Year:

| | |
|-------------------------|------------------|
| Daniel A. McCorquodale, | Chairperson |
| Richard Oliver, | Vice Chairperson |
| Barbara Boxer, | Secretary |

Mr. Doetsch moved that the Board accept the recommendation of the Committee; seconded by Mr. Kenny; carried.

PUBLIC HEARING TO CONSIDER AMENDING
REGULATION 2 RELATING TO MEASUREMENT
OF OPACITY BY IN-STACK MONITORS

The APCO'S report, Continuation of Public Hearing Regarding Use of In-Stack Monitors to Determine Opacity Violations, dated July 6, 1978, was presented.

Mr. Asera Arrived at 10:25 A.M.

Mr. Feldstein reviewed the background for the requested change in the Regulation.

Mr. Kopp arrived at 10:40 A.M.

Mr. Feldstein presented a revision to §3110.3, to clarify the exemption for soot blowing, undated.

In discussion, Mr. Feldstein stated that the proposed amendment would not require any additional monitors to be installed, unless the APCO should determine it to be necessary; Mr. Levaggi reported there were 30-35 Opacity monitors installed at the present time.

Chairperson McCorquodale opened the Public Hearing at 10:50 A.M.

The following made presentations:

Frank Strehlitz
Pacific Gas and Electric Company

reviewed their letter dated June 29, 1978, opposing the regulation; that the Staff's proposed §3110.3 was more stringent than that suggested by them in their letter.

Chairperson McCorquodale requested the Staff to provide the Board a report in six months as to the reliability of the monitors.

Mr. Kenny moved the Public Hearing be closed; seconded by Mrs. Boxer; carried.

Mrs. Boxer moved the adoption of Resolution No. 1068, In the Matter of Amending Regulation 2 Relating to In-Stack Monitors with the amendment to §3110.3 presented by Mr. Feldstein; seconded by Mr. Chapman, carried on roll call.

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, DOETSCH, GRIMM, HILLIGOSS, KENNY, KOPP, MCCORQUODALE, OLIVER, SANTANA.

NOES: LANDIS

ABSENT: COOPER, LEIPZIG, MOLINARI, STEINBERG.

- - -

DISCUSSION OF 1978-79 BUDGET

Mr. Callaghan reviewed his report, 1978-79 Revenues, dated July 10, 1978. He advised that only Napa County has notified the District of funds that it could expect to receive as its contribution. Director Kopp advised that San Francisco had allocated \$626,000 in its budget.

In discussion of the amount of monies the District would receive from each County, it was pointed out that the District should advise each County the amount it expects from them; that the Staff should appear before the various Boards of Supervisors on the matter, otherwise the funds would not be forthcoming; Mr. Callaghan pointed out that the District was obligated to report to the State Controller by July 15 the amount of money it expects to receive so that the Controller can determine by July 20 the amount of money that he will apportion to the various Special Districts.

After further discussion, Mr. Chapman moved that the District inform the State Controller that the District does not anticipate any funds from Counties other than Napa and San Francisco; that after it is known the amount to be received, the District is to notify the Counties the amount needed from them; seconded by Dr. Bacciocco; carried.

There was concern expressed over the amount in the General Reserve. Mr. Callaghan pointed out that if AB-3251, which allows the District to impose Emission Fees passes, the District would not need to rely on property taxes for its revenue.

DISCUSSION OF PROPOSED CHANGE IN VEHICLE PATROL PROGRAM

Mr. Callaghan reviewed his report, Vehicle Patrol Program, dated July 12, 1978.

Dr. Bacciocco left at 11:55 A.M.

Ms. Christine Bell
Vehicle Patrol Section

reviewed a report entitled, Vehicle Patrol Statistics, dated July 10, 1978.

Mr. Kopp left at 12:10 P.M.

Ms. Bell commented on certain issues raised in the APCO'S report with respect to the number of citations issued, the gas consumed by the Patrol vehicles, and compared the Cost Savings information contained in her report with that contained in his. She referred to the memorandum to Doug Winget, Employee Relations Officer, from Dan Borst, President, BAAPCDEA, Local 2821, entitled, Vehicle Patrol, dated May 16, 1978, stating a reply had not been received. She requested that the matter of where the Vehicle Patrol personnel would be transferred be referred to the Personnel Committee.

In discussion of Mr. Callaghan's proposal that Patrol Section Personnel be transferred to the Inspection Section, Mr. Oliver spoke in opposition, stating he felt that the Patrol had a deterrent effect and that a much lighter vehicle could be used in the program; Directors Doetsch and Hilligoss spoke in support of the proposal.

After further discussion, Mr. Landis moved that the Board accept the Staff's report and that the Patrol be eliminated as of August 1, 1978 and that the employees be phased out as recommended by Mr. Callaghan; seconded by Mr. Doetsch.

In discussion, Mr. Chapman requested that the motion include referring the duties of the Vehicle Patrol personnel to the Personnel Committee for review as to the nature of the job and salary, which request was agreeable to Directors Landis and Doetsch. The motion then carried, with three Noes.

DISCUSSION OF SO₂ MODELING STUDY

Mr. Callaghan requested that this matter be deferred for discussion until the next meeting of the Board. Chairperson McCorquodale requested that it be so agendized and be placed high on the agenda.

REPORT OF THE AIR POLLUTION CONTROL OFFICER

Legislation

Mr. Callaghan advised that a report would be made on July 26, 1978.

OTHER

Mr. Kenny moved the adoption of Resolution No. 1069, In the Matter of Expressing Appreciation of the Board of Directors of the BAAPCD to James Lemos for His Services; seconded by Mr. Asera; carried on roll call.

AYES: ASERA, BOXER, CHAPMAN, DOETSCH, GRIMM, HILLIGOSS,
KENNY, LANDIS, McCORQUODALE, OLIVER, SANTANA.

NOES: NONE.

ABSENT: BACCIOCCO, COOPER, KOPP, LEIPZIG, MOLINARI,
STEINBERG.

Mr. Kenny moved the adoption of Resolution No. 1070, In the Matter of Expressing the Appreciation of the Board of Directors of the BAAPCD to Elwon Lance for His Services; seconded by Mr. Asera; carried on roll call:

AYES: ASERA, BOXER, CHAPMAN, DOETSCH, GRIMM, HILLIGOSS
KENNY, LANDIS, McCORQUODALE, OLIVER, SANTANA.

NOES: NONE.

ABSENT: BACCIOCCO, COOPER, KOPP, LEIPZIG, MOLINARI
STEINBERG.

The following report was presented:

Pending Referrals from Board of Directors dated June 28, 1978.

- - -

Mr. Chapman suggested that an Orientation Session be held for the new Board members.

TIME AND PLACE OF NEXT MEETING

It was decided that the meeting scheduled for July 19, 1978 would be canceled. The next meeting was set for 10:00 A.M., Wednesday, July 26, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:40 P.M.

Respectfully submitted,

Mabel Harder
Secretary

MH:jmz

BAY AREA
AIR POLLUTION
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939 Ellis Street
San Francisco, California 94109

2

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A1581

BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
July 26, 1978
10:00 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr.
Barbara Boxer, Sam Chapman, Ralph P.
Doetsch, Sr., Robert A. Grimm, James
P. Kenny, Lathan N. Landis, Daniel A.
McCorquodale, Richard Oliver.

BOARD MEMBERS ABSENT:

Fred F. Cooper, M. Patricia Hilligoss,
Quentin Kopp, Marguerite Leipzig,
John L. Molinari, Charles Santana,
Geraldine F. Steinberg.

HEARING BOARD MEMBERS
PRESENT:

Rodney R. Beard, M.D.

ADVISORY COUNCIL
MEMBERS PRESENT:

Scott Lynn, Chairperson; Robert J. Debs,
William B. McCormick, Jack C. Oppen-
heimer.

STAFF MEMBERS PRESENT:

D.J. Callaghan, Elvan P. Babylon,
Hulan F. Brinkeley, Warren R. Crouse,
Milton Feldstein, Dario Levaggi,
Edward W. McHugh, John F. Powell,
Douglas Winget, Mabel Harder.

- - -

ADMINISTRATIVE
CLERK

AUG 18 1978

U.S. DEPARTMENT OF COMMERCE

Chairperson McCorquodale called the meeting to order at 10:20 A.M.

APPROVAL OF MINUTES OF JULY 12, 1978

COMMUNICATIONS
Barbara Boxer, Secretary

The following communications were received:

John T. Roberts, Chairperson
APCA TP-2 Committee on Land-Use and Transportation Policies

Information on the 1978 Annual Meeting June 28, 1978

Charles H. Kruger
Hearing Board

Copy of letter to Messrs. Morgester, ARB; Stumph, EPA; Powell, BAAPCD regarding the 1977 amendments to the Clean Air Act as it impacts on the Hearing Board.

Jill M. Rollin
South San Francisco

Supporting the Vehicle Patrol.

REFERRAL OF CLAIM TO INSURANCE COMPANY

The APCO Report, Insurance Claim of Ronald Chaney and Pamela Chaney, dated July 19, 1978, was presented.

Mr. Asera moved the approval of the above Consent Calendar items; seconded by Mr. Doetsch; carried.

REPORT OF PERSONNEL COMMITTEE
Daniel A. McCorquodale, Chairperson

Mr. McCorquodale reported that the Committee met prior to the Board meeting and reviewed the Staff's proposal for reassignment and restructuring of the Enforcement Division Personnel due to the deletion of the Vehicle Patrol Program; the Committee recommends that the title for Air Pollution Inspector I and II be changed to Air Pollution Industrial Inspector I and II; that the education levels of Air Pollution Industrial Inspector I be upgraded as requested by Staff; that a two-year minimum of college be required for both Air Pollution Industrial Inspector I and II; that a new job title be created entitled, Air Pollution Inspector, to replace

Vehicle Patrol Inspector, and that the Patrol Supervisor be reclassified to Senior Air Pollution Inspector and the entire section transferred to the Section entitled, Chief Air Pollution Industrial Inspection, with the Air Pollution Inspector being placed under the Air Pollution Industrial Inspector I, with the present salary and the present requirements for no college; that the job specifications as presented be accepted; that the changes be effective August 1, 1978; that the recommendations be referred to the Affirmative Action Council and all affected employees for comments to the Committee for further drafting.

Mrs. Boxer moved that the Board accept the Personnel Committee's recommendations; seconded by Mr. Chapman; carried.

Mr. McCorquodale stated that the Committee recommends the appointment of Dr. Stuart C. Cullen to the Advisory Council in the Public-At-Large category for the remainder of the unexpired term of the former Regional Park Districts category. Mr. Chapman so moved; seconded by Mr. Landes; carried.

QUARTERLY REPORT OF HEARING BOARD Rodney R. Beard, M.D.

The Hearing Board Quarterly Report April 1, 1978 - June 30, 1978, dated July 1, 1978 was presented. Dr. Beard reviewed the applications for variance received from the Federal agencies with respect to their service stations; outlined the EPA requirements with respect to variances.

DISCUSSION OF SO₂ Modeling Study

Mr. Feldstein reported that the Staff had met with industry and developed a Request for Research Proposal; that there is basic agreement on the scope of the work to be done and scenarios and models to be used; that there is need for decision as to who should administer the contract. Mr. Callaghan recommended that industry should have the responsibility for administering the contract because they were funding the study.

In discussion as to who should administer the contract, Dr. Bacciocco referred to the action of the Board on May 17 when it was decided that industry's only contribution would be the funding; Directors Oliver and Landis also spoke in support of the District administering the contract.

Mr. Powell advised that he had received a copy of the Petition filed with the ARB by the Sierra Club, Citizens for a Better Environment, and Friends of the Earth with respect to the District's SO₂ regulation, and urging the ARB to set a hearing and make changes in it.

Jack C. Oppenheimer, Vice Chairperson
Advisory Council

Referred to the Council's recommendation with respect to the study, stating that those Council members who attended the meetings with industry on the matter favored the Staff administering the program.

Scott Lynn, Chairperson
Advisory Council

Supported Mr. Oppenheimer's statements, pointing out that the study was primarily technical.

James Dehnert
Air Resources Committee Chairperson
BALIA

In comments stated that they wanted a study made in which the Board would have faith; supported the Staff administering the study for credibility purposes; that seven companies were willing to finance the study which would cost in the neighborhood of \$45-50,000.00; wanted a commitment from the Board that it would not pass any regulation until the study was complete; that the study would take 3-6 months; they would like to participate in the scope of the study and selection of the contractor, after which they would end their involvement.

Mrs. Boxer expressed concern about a precedence being set of industry funding the study, after which there was discussion thereon.

Mr. Chapman moved that the Legal Department prepare the appropriate instruments to execute a contract assuming that industry having looked at the Scope of work is willing to do that and to turn complete authority over to the Staff to administer and to make all decisions as if it were District money; seconded by Mr. Asera.

In discussion, Directors Bacciocco and Boxer spoke in opposition to the motion.

Larry Coleman
Chevron U.S.A., Inc.

Commented with respect to the discussion on precedent-setting, stating that other Districts accept such funding.

The motion carried.

Mr. Callaghan advised that the proposed program and contract would be furnished to the Board on August 16, 1978. Chairperson McCorquodale stated that once the money has been received by the District, the RFP would be let to bid.

DISCUSSION OF FINANCING OF DISTRICT

The APCO Report, Further Report on Financial Status for the Fiscal year 1978-79, dated July 26, 1978, was presented.

After discussion, Mr. Landis moved that the matter be referred to the Budget and Finance Committee, with emphasis on B (utilizing a portion of the General Reserve of \$1,121,000) and C (budget could be reduced to meet the estimated revenue), and preferably C's; seconded by Mr. Kenny.

In discussion, Mr. Callaghan suggested that a meeting of the Budget and Finance Committee not be held until after August 18 when it would be known whether further legislation has been entered with respect to additional funds being transferred into the State Controller's Fund for Special Districts and the status of the Emissions Fee legislation.

After further discussion, the Board agreed that the matter would be referred to the Budget and Finance Committee with no instructions as to emphasis.

DISCUSSION OF CONCERNS OF MARTINEZ PETROLEUM, INC. REGARDING INCREASE IN PERMIT FEES

Mr. Feldstein reviewed how the Advisory Council reviewed the permit fee structure; that the Staff made a number of proposals to the Advisory Council, including graded fees; that when the Staff requested an increase in the fees, it magnified the fees for the smaller sources; that the South Coast Air Quality Management District has a graded fee schedule; he suggested the Staff present some alternative options to the Board for restructuring the fees. Mr. Grimm so moved; seconded by Mr. Asera; carried.

LEGISLATIVE REPORT

Mr. Callaghan reported on SB-2198 (Marks)-would reduce the amount of control the District would have on emissions from ships. He recommended the Board oppose the legislation until it is amended to delete the words, "but not limited to". Mr. Doetsch so moved; seconded by Mr. Kenny; carried.

He reviewed the status of AB-471(Calvo).

OTHER

Adopted Resolution Number 1071, In the Matter of Authorizing the Air Pollution Control Officer to Sell Seven (7) Used Motor Vehicles, on motion of Mr. Kenny; Seconded by Mr. Asera; carried on Roll Call:

AYES:

ASERA
BACCIOCCO
CHAPMAN
DOETSCH
GRIMM
KENNY
LANDIS
McCORQUODALE
OLIVER.

NOS:

NONE.

ABSENT:

BOXER
COOPER
HILLIGOSS
KOPP
LEIPZIG
MOLINARI
SANTANA
STEINBERG.

- - -

The following report was presented: Pending Referrals from Board of Directors, dated July 13, 1978.

- - -

Chairperson McCorquodale announced that the Vice Chairperson of the Board is to assume the duties of Liaison to the Advisory Council and that Director Oliver had been appointed.

- - -

Chairperson McCorquodale requested that the Directors advise him as to their preference for Committee assignment.

- - -

Chairperson McCorquodale stated that in efforts to streamline the Board's operation, he proposed that the Board meet on the first and fourth Wednesday of each month; that the Committees meet on the third Wednesday with the Executive Committee discussing the various items which now come before the Board and that the minutes therefrom be presented to the Board at its first meeting of the month at which time any Director having concerns with any item would so express them; that alternates to the Executive committee chosen from the Board be appointed so that there is more flexibility; that an attempt would be made to end the meetings by noon. He stated that notice was now being given that amending the Administrative Code would be agendized for the August 2, 1978 meeting.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES,
PURSUANT TO GOVERNMENT CODE SECTION 54957.6 TO
REVIEW BOARD'S POSITION AND INSTRUCT ITS DESIGNATED REPRESENTATIVES
RELATIVE TO CONSULTATIONS AND DISCUSSIONS WITH
REPRESENTATIVES OF EMPLOYEE ORGANIZATION

An Executive Session was not held.

TIME AND PLACE OF NEXT MEETING

10:00 a.m., Wednesday, August 2, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:05 p.m.

Respectfully submitted,

Mabel Harder, Secretary

MH:bd

BAY AREA
AIR POLLUTION
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BAY AREA AIR POLLUTION CONTROL DISTRICT
 939 Ellis Street
 San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday,
 August 16, 1978
 10:00 a.m.

939 Ellis Street
 San Francisco
 California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Ralph P. Doetsch, Sr., Robert A. Grimm, M. Patricia Hilligoss, James P. Kenny, Quentin Kopp, Marguerite Leipzig, Daniel A. McCorquodale, Richard Oliver, Verne L. Roberts, Charles Santana.

BOARD MEMBERS ABSENT:

Larry Asera, Laython N. Landis.

ADVISORY COUNCIL
 MEMBERS PRESENT:

Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Hulan F. Brinkley, Warren R. Crouse, Dario Levaggi, Donald A. Monaghan, John F. Powell, Janet Simon.

- - -

Chairperson McCorquodale called the meeting to order at 10:05 A.M. He welcomed Verne L. Roberts, Mayor of Antioch, to the Board replacing Elwon Lance.

APPROVAL OF MINUTES OF AUGUST 2, 1978

COMMUNICATIONS
Barbara Boxer, Secretary

The following communications were received:

Supervisor Gerry Steinberg
Santa Clara County

Copy of letter to the SCC Board of Supervisors resigning as a Director of the BAAPCD.

Barbara J. Kelley
Los Gatos

Copy of letter to the Mayor and City Council, San Jose, regarding the fires occuring at the city dump located on Highway 237.

Director Sam Chapman

Copy of letter to Thomas Quinn, ARB, with respect to EPA's proposed Regulation on Regional Consistency, pointing out the impact on inconsistency on California and suggesting EPA be requested to adopt a tighter regulation.

Supervisor John Molinari
San Francisco City/County

Copy of letter to the Mayor resigning as a Director of BAAPCD.

G. Spoerlein
Oakland, CA

Copy of letter to Director Chapman and the Board relating to fines and suspension of license in cases of "burning rubber" when leaving stop signs and signals.

SET A PUBLIC HEARING FOR SEPTEMBER 20, 1978
TO MAKE TECHNICAL CORRECTION IN REGULATION 3 RELATING
TO SUBMERGED FILL IN STORAGE TANKS

Mr. Chapman moved the approval of the above items; seconded by Mr. Santana; carried on role call:

AYES: Chapman, Cooper, Doetsch, Grimm,
Hilligoss, Kenny, Kopp, Leipzig,
McCorquodale, Oliver, Roberts,
Santana.

NOES: None.

ABSENT: Asera, Bacciocco, Boxer, Landis.

ADOPT CHANGES IN THE ADMINISTRATIVE CODE PERTAINING TO
BOARD AND COMMITTEE MEETINGS AND PROCEDURES

The proposed changes to the Administrative Code with respect to §§1.1, 6.4 and 6.8 were presented. Adopted Resolution No. 1072, In the Matter Of Amending the Administrative Code, on motion of Mr. Oliver; seconded by Mr. Kenny; carried on roll call:

AYES: Chapman, Cooper, Doetsch, Grimm,
Hilligoss, Kenny, Kopp, Leipzig,
McCorquodale, Oliver, Roberts,
Santana.

NOES: None.

ABSENT: Asera, Bacciocco, Boxer, Landis.

Dr. Bacciocco arrived at 10:12 A.M.

REPORT AND DISCUSSION OF SO₂ MODELLING STUDY

The following reports were presented:

Letter from John F. Powell to the Board, dated August 10, 1978; APCO report, SO₂ Modelling Study, dated August 11, 1978; Mr. Feldstein's memorandum to All Interested Persons, entitled Revised RFP For SO₂ Study, dated August 3, 1978.

Mrs. Boxer arrived at 10:22 A.M.

Mr. Powell reviewed the history on the proposed modelling study, and the SO₂ regulation.

Mr. Callaghan reviewed his report, SO₂ Modelling Study, dated August 11, 1978, in which he pointed out that the study was not necessary and the reasons therefore.

In discussion, Mr. Levaggi reviewed the reasons for the Ground Level Monitoring section of the Regulation, and the 56 excesses thereunder in 1977, advising that if the 3 minute limitation were not in effect, there would have been 3 additional violations in 1977, all in Contra Costa County, and 2 in 1978, to date; that the Staff projecting a

worst case situation found that there would probably be 13-15 days per year in which the State standard of 0.04 ppm would be exceeded using fuel with a sulphur content of 1/2 percent or higher; that based on 1977 data, requiring 300 ppm stack limitation would eliminate any excesses of the District regulation.

There was further discussion on the differences between the District's proposed regulation and the ARB's, Mr. Cooper stating that he did not feel the ARB had any grounds for complaint of the present regulations since there had been only one violation of their standard in two years; that the modelling study needs to be done to determine what changes need to be made in the regulation.

After further discussion, Mr. Cooper moved that the Board approve the RFP and contract; seconded by Mrs. Leipzig.

In discussion, Mr. Callaghan pointed out that there were still some problem areas in the RFP between the Staff and industry which needed to be clarified, and suggested that the Board not adopt it until the changes had been made.

Mr. Cooper withdrew his motion and moved that the District proceed with the study as expeditiously as possible; seconded by Mr. Kopp.

In discussion, the following made a presentation:

Jeff Gain
Citizens for Better Environment

In comments stated the question of the definition of "significant deterioration" needed to be addressed; that a petition has been submitted to the ARB requesting them to impose a 300-ppm stack gas limitation if the District does not; and that this is under consideration on their October agenda.

Jack C. Oppenheimer
Vice Chairperson,
Advisory Council

in comments referred to section c of the Draft Agreement attached to Mr. Powell's letter of August 10, 1978 in which the District would have complete authority for the selection of the contractor, stating that this was not specifically set forth in the motion adopted by the Board on July 26, 1978, and he referred to the minutes thereon, requesting for the record that the matter be so clarified.

Chairperson McCorquodale stated that it was the intent of the Board that prior to the time the RFP was presented to the Board for adoption, industry would have made a decision as to whether this was a study they wanted to fund; that they would then submit the money to the District and would release such money upon approval from the Board to send out the RFP; that from that point on the study would be the District's responsibility.

John Rowland
Stauffer Chemical Company

in comments stated that it was the understanding of industry that the District would select the contractor to perform the study; and pointed out that it would cost Stauffer Chemical Company \$5-7 MM to meet the Staff's proposed regulation; and urged the Board to authorize the study.

In discussion, he stated that they were aware of the Sierra Club's petition to the ARB, but that it did not take cognizant of the fact that a study has been proposed.

Burt Fleischer
Allied Chemical Corporation

in comments, referred to the definition of "significant deterioration" rule, stating it was his understanding that PSD would not apply; he referred to the APCO's report, SO₂ Modelling Study commenting on certain portions therein, stating the Staff should consider bringing individual abatement action against those sources which violate the GLM and not adopt a regulation which would apply to all industry; that a regulation on SO₂ will not reduce hydrocarbons or particulate matter; that a 10T/Y reduction may achieve the same results as 100T/Y.

Mr. Oppenheimer in further comments on the Staff's proposed regulation pointed out that if emissions doubled because of a lack of natural gas that the standard will probably be exceeded and the present air quality deteriorated. Mr. Cooper pointed out that the study will assist in determining a number of questions that had been raised and that it was important to go ahead with it.

The motion then carried on roll call:

| | |
|---------|---|
| AYES: | Cooper, Doetsch, Grimm, Hilligoss, Kenny, Leipzig, Roberts, Santana. |
| NOES: | Bacciocco, Boxer, Chapman, McCorquodale, Oliver. |
| ABSENT: | Asera, Kopp, Landis. |

Mrs. Boxer suggested that if the Staff has any problems with respect to the study, that the Board should be so advised, and Mr. Callaghan responded in the affirmative.

Mr. Chapman requested that the ARB be invited to be present at the next meeting and be prepared to discuss the historical progression of the ARB standard of 0.04 ppm to 0.05.

A letter from the Exxon Company, U.S.A., entitled, Exxon SO₂ Emissions, dated August 14, 1978 was presented.

REPORT OF AIR POLLUTION CONTROL OFFICER
D. J. Callaghan

Request Authorization To Employ Personnel In Selected Vacant Positions

Mr. Callaghan requested authorization to hire two secretaries, one for himself and one for Mr. Feldstein. Mrs. Boxer so moved; seconded by

Mr. Doetsch; carried.

LEGISLATION

Mr. Callaghan reported on the following legislation:

AB-3251-allows District to have emission fees. Defeated in Senate Committee.

SB-2223-appropriates \$100 MM into Special Districts. Passed Senate Policy Committee. Might adversely affect the District.

SB-938-requires District to have an economic and employment study made when Regulations are adopted or changed. Passed Assembly Land Use and Energy Committee without any appropriation.

SB-2198-controlling ships under certain conditions. Now in Assembly Transportation Committee.

Mr. Callaghan suggested that Budget and Finance Committee meet within the next 2-3 weeks for a preliminary discussion of the financial situation of the District and presentation of a preliminary budget.

OTHER

The following report was presented: Pending Referrals From Board of Directors, dated August 4, 1978.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES, PURSUANT TO GOVERNMENT CODE SECTION 54957.6 TO REVIEW BOARD'S POSITION AND INSTRUCT ITS DESIGNATED REPRESENTATIVES RELATIVE TO CONSULTATIONS AND DISCUSSIONS WITH REPRESENTATIVES OF EMPLOYEE ORGANIZATION

The Board went in to Executive Session at 11:26 A.M. and reconvened at 11:45 A.M.

On motion of Mrs. Boxer; seconded by Mr. Kenny, adopted Resolution No. 1073, In The Matter Of Approving A Memorandum Of Understanding and Providing Fringe Benefits, on roll call:

| | |
|-------|---|
| AYES: | Bacciocco, Boxer, Chapman, Doetsch, Grimm, Hilligoss, Kenny, Kopp, Leipzig, McCorquodale, Oliver, Roberts, Santana. |
|-------|---|

| | |
|-------|-------|
| NOES: | None. |
|-------|-------|

| | |
|---------|------------------------|
| ABSENT: | Asera, Cooper, Landis. |
|---------|------------------------|

A BAAPCD Employees Association Memorandum to the Board with respect to the layoff procedure and MOU, dated July 31, 1978, was presented.

TIME AND PLACE OF NEXT MEETING

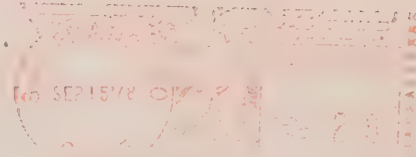
9:30 A.M., Wednesday, September 6, 1978, 939 Ellis Street, San Francisco, California.

Respectfully submitted,

MH:pme

Mabel Harder Secretary

BAY AREA
AIR POLLUTION
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999 Ellis Street
San Francisco, California 94109



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BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday,
September 6, 1978
9:30 a.m.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Dominic L. Cortese, Ralph P. Doetsch, Sr., Robert A. Grimm, M. Patricia Hilligoss, James P. Kenny, Quentin Kopp, Laython N. Landis, Marguerite Leipzig, Daniel A. McCorquodale, Richard Oliver, Verne L. Roberts, Charles Santana.

BOARD MEMBERS ABSENT:

Larry Asera.

ADVISORY COUNCIL
MEMBERS PRESENT:

Jack C. Oppenheimer, Robert J. Debs.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell, Hulan F. Brinkeley, Warren R. Crouse, Milton Feldstein, Peter Hess, Dario Levaggi, Donald A. Monaghan, Edward W. McHugh, John F. Powell, Mabel Harder.

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SEP 18 1978

Chairperson McCorquodale called the meeting to order at 9:40 A.M. °

APPROVAL OF MINUTES OF AUGUST 16, 1978

The minutes were not available.

COMMUNICATIONS
Barbara Boxer, Secretary

The following communications have been received:

R. W. Davis
Chevron USA, Inc.

Copy of the American Petroleum Institutes comments on Ozone
Proposals of the EPA.

Bernhard A. Votteri, M.D.
Sequoia Hospital District
Redwood City

Expressing concern about the efforts to curtail or reduce circulation
of Air Currents and or abbreviate its contents, stating that it
served as a valuable information resource to the Environmental
Pollution Committee of the San Mateo County Lung Association.

William H. Lewis, Jr.
Executive Officer
ARB

Responding to the Chairpersons letter with respect to the
Kern County New Source Review Rules, stating that they have
found them unacceptable in their present form.

Diana L. Patrick
Martinez

Posing several questions with respect to the UCO Refinery Permit
Application.

Roy M. Bell
Director of Finance
State of California

Regarding the Fiscal information required from Special Districts
by November 1, 1978, stating that a fiscal data questionnaire would
be sent early in September, and that such information would
be used in preparing the Department's Proposition 13 Impact Reports
to the Governor and Legislature by February 1, 1979.

Kenneth R. Blackman, City Clerk
City of Santa Rosa

Notice of the intent to consider vacation of portions of Fourth
and Fifth Streets, and giving public notice thereof.

Anthony A. Kalamaras
Auditor-Controller
Solano County

Advising of the Available Finances to be provided to operate the District during the 1978-79 Fiscal Year and requesting the 1978-79 Budget be filed with them no later than September 10, 1978.

R. S. Cunningham
Exxon Company U.S.A.

Comments on the proposed amendments to Regulation 3 regarding the control of organic emissions from valves and flanges at petroleum refineries.

DIVISION MONTHLY REPORTS

The following reports were presented: Director of Enforcement Monthly Activity Report For August 1978; Director of Technical Services Monthly Activity Report, July 20 through August 23, 1978; Director of Engineering Services Monthly Activity Report July 21, 1978 to August 20, 1978; Director of Public Information Monthly Activity Report-July 29, 1978-August 25, 1978; Status Of Legal Matters-July 26, 1978-August 28, 1978.

APPROVAL OF METEOROLOGICAL CONTRACT (BURN/NO BURN) WITH ARB

The following reports were presented:

APCO Report, Approval of Meteorological Contract With ARB, dated August 31, 1978. Resolution No. 1074 In the Matter Of Authorizing the Chairman Of the Board Of Directors To Execute an Agreement With the Air Resources Board For an Agricultural Burning Meteorological Forecasting System.

APPROVAL OF CONTRACT WITH ABAG FOR AQMP WORK

The following reports were presented:

APCO Report, Approval Of Contract With ABAG For Continuation Of Air Quality Maintenance Plan Work, dated August 31, 1978. Resolution No. 1075, In the Matter of Authorizing the Air Pollution Control Officer To Execute a Contract With Association Of Bay Area Governments For Continuation Of Air Quality Maintenance Plan Work.

Mrs. Hilligoss moved the approval of the above items; seconded by Mr. Kenny; carried on role call:

AYES:

Bacciocco, Boxer, Chapman, Doetsch,
Grimm, Hilligoss, Kenny, Landis,
McCorquodale, Roberts.

NOES:

None.

ABSTAINING:

Cortese.

ABSENT:

Asera, Cooper, Kopp, Leipzig, Oliver,
Santana.

REPORT ON CONFLICT OF
INTEREST CODE

Mr. Powell reported on the decision of the FPFC with respect to the District's Conflict of Interest Code, stating that it had been approved.

Mr. Santana arrived at 9:42 A.M.

Mr. Powell stated that the Staff will be sending forms to the Directors for their use; that assets owned as of September 11, 1978 will be reported in the October 11 statement.

Mr. Oliver arrived at 9:47 A.M.

Chairperson McCorquodale requested that Ms. Harder routinely the first of March of each year send to each Director the forms for filing the annual disclosure statement.

CONTINUATION OF PUBLIC HEARING FOR CONSIDERATION OF ESTABLISHING
AN UPPER STACK SO₂ LIMITATION FOR ACID PLANTS AND SULFUR PLANTS

The APCO report, Public Hearing On Upper Stack SO₂ Limitations, dated August 31, 1978, was presented.

Mrs. Leipzig arrived at 10:50 A.M.

After discussion, Mr. Landis moved that the public hearing be continued to March 7, 1979; seconded by Mr. Kenny; carried.

PUBLIC HEARING TO CONSIDER AMENDING REGULATION 3
RELATING TO CONTROL OF ORGANIC EMISSIONS FROM VALVES AND
FLANGES AT PETROLEUM REFINERIES

The APCO report, Proposed Rule On Valves and Flanges dated August 31, 1978, was presented. Mr. Callaghan reported on the development of the Regulation. Mr. Feldstein outlined the regulation and the differences between the Staff's proposal and the ARB Model rule. The letter from Mr. R. S. Cunningham, Exxon, U.S.A., dated September 5, 1978 was presented, and Mr. Feldstein responded to the concerns expressed therein with respect to definition of "leak" and that the 3,000 ppm requirement was too stringent. In discussion, Mr. Feldstein stated EPA guideline of 10,000 ppm would only detect the very grossest leaking valve.

Chairperson McCorquodale opened the public hearing at 10:15 A.M.

Mr. Powell furnished the Secretary 9 Affidavits of Publication of Notice of Public Hearing.

A statement from Union Oil Company on the proposed rule, dated September 6, 1978, was presented.

The following made presentations:

J. P. Flynn
Exxon, U.S.A.

referred to their letter of September 5, 1978 requesting that the proposed regulation be reviewed by the Advisory Council.

Mr. Chapman referred to the previous upset/breakdown regulation which had been disallowed by EPA, and inquired how this impacted on the more lenient proposal of giving a 15 day period for repairing leaks, to which Mr. Powell responded that intent and negligence must be proven in processing any violation notice issued. Dr. Bacciocco inquired if the Staff's criteria were directed towards presenting a health hazard, to which Mr. Feldstein responded that the whole program was to reduce organic emissions; that unless there were control on valves and flanges, said emissions therefrom could be 12 T/D. Mr. Landis stated he felt more technical information was needed as to how the Staff developed its criteria.

Mr. Cooper arrived at 10:30 A.M.

There was further discussion with Mr. Flynn with respect to the cost-effectiveness of the regulation.

Peter Hess
Senior Engineer, BAAPCD

reviewed the Staff's development of the regulation, stating that EPA's regulation would allow 0.4 lbs/D, whereas the Staff proposal would allow 0.15 lbs/D; that this limitation could be met by the refineries on the West coast.

Mr. Cooper arrived at 10:40 A.M.

Mr. Cooper pointed out that emissions from gas powered lawn mowers and gas powered boats had not been addressed and yet they comprised a large source of pollution and he suggested the Staff present a report thereon.

After further discussion, Mr. Cooper moved that the Staff provide a report on gas powered boats and gas powered lawn mowers; seconded by Dr. Bacciocco; carried.

Dolores Owen
WOGA

presented a written statement recommending that the EPA leak limit recommendation of 10,00 ppm as hexane be adopted. She referred to the Radiant Company study done for EPA and quoted therefrom.

There was discussion on requiring only inspection and maintenance without a standard, for 6 months, during which time the number of leaking valves and the amounts therefrom could be determined. Mr. Cooper suggested a graduated limit for various valves could be required depending on the information provided during the 6 months period.

John T. Hansen
Pillsbury, Madison & Sutro
Chevron U.S.A.

presented a letter addressed to Mr. Callaghan, dated August 21, 1978 and reviewed it; suggesting the matter be referred to the Advisory Council for a proper definition of leak; and that he did not feel the ARB had the power to adopt the rule for the District.

After further discussion, Mr. Cooper moved that the Staff prepare a rule requiring inspection and reports on all valves in 6 months and that the matter be referred to the Advisory Council; seconded by Mr. Kopp.

There was discussion on whether the Board should adopt the proposed regulation without the "Requirements" section and whether the definition of "leak" needed to be left in the regulation as a basis for enforcement. Mr. Powell reviewed the proposed regulation, advising as to which sections would need to be deleted in order to effectuate Mr. Cooper's motion as follows:

delete: 1.d.-Leak.

delete: 2-Requirements.

3.a. to read: All valves handling volatile organic compounds shall be inspected by the person responsible for the source every six months.

delete: 7.-Effective Date

Mr. Feldstein suggested that for 4 a read: Maintain records of inspections for one year identifying all valves with emissions greater than 3,000 ppm expressed as methane on a portable hydrocarbon detection instrument held within 1 cm of the source.

Larry Coleman
Chevron U.S.A.

in comments pointed out that technical studies had been done on the subject and he referred to the Radiant Company study, stating that 17 refineries had been reviewed; that he saw no reason for an additional study by the Staff and he opposed the motion.

Chairperson McCorquodale closed the public hearing at 11:30 A.M.

There was further discussion on the motion it being agreed that the motion was to adopt the regulation with the changes as outlined by Mr. Powell with the addition to 4 a as set forth by Mr. Feldstein and with the addition of 4 c reading: "Reports to be provided within 4 months"; and that the matter would be referred to the Advisory Council.

Jack C. Oppenheimer
Vice Chairperson
Advisory Council

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inquired as to the precise referral to the Advisory Council and the time in which to respond. He was advised that the referral was as to whether the Board should adopt 10,000 ppm, 3,000 ppm, or some combination, and that said report is to be furnished to the Board within 6 months.

Resolution No. 1076, In the Matter Of Adopting Regulation 10 Relating To Emissions From Valves and Flanges carried on roll call:

| | |
|---------|---|
| AYES: | Bacciocco, Boxer, Cooper, Cortese, Doetsch, Grimm, Hilligoss, Kenny, Kopp, Landis, Leipzig, McCorquodale, Oliver, Roberts, Santana. |
| NOES: | Chapman. |
| ABSENT: | Asera. |

Mrs. Boxer left at 11:45 A.M.

REPORT OF AIR POLLUTION CONTROL OFFICER
D. J. Callaghan

Mr. Callaghan requested the Budget and Finance Committee to meet on September 13, 1978 at 9:00 A.M. so that the budget for the 1978-79 Fiscal Year could be presented to the Board on September 20; and it was so agreed.

LEGISLATION

Mr. Callaghan reported on the following:

AB-3251-providing emissions fee for the District-did not pass.

AB-2288-changing the name of the District to Bay Area Air Quality Management District-passed and is on the Governor's desk for signature.

AB-3579-establishing a moratorium on any retrofitting of any vapor recovery system in the District-passed and on the Governor's desk for signature.

AB-3092-affecting South Coast Air Quality Management District; ARB; Hearing Board requirements-passed and is on the Governor's desk for signature.

Mr. Callaghan recommended that the Staff write the Governor recommending he sign the bill, and Mr. Cooper so moved; seconded by Mr. Doetsch; carried.

SB-938-requiring the District to prepare a report on economic and employment with respect to any regulations or amendments thereto. Died.

SB-1856-Local option for vehicle inspection. Died in Assembly.

SB-2167-precluding any agency from amending ABAG's EMTF plan-passed and is on the Governor's desk for signature.

OTHER

Chairperson McCorquodale advised that Ms. Nancy Yamamoto wished to address the board with respect to a pollution problem in Albany. She was not present.

Mrs. Jean Siri
West Contra Costa Conservation League

in comments inquired as to the amount of money industry was proposing to provide for the SO₂ modeling study and expressed concern that industry not be involved in evaluating the bids that are submitted.

Mr. Callaghan advised that industry would be discussing with the Staff the amount of money they proposed to provide; that a figure has not been arrived at.

There was discussion on whether a commitment should be obtained from industry before the bids were let.

Eveleth E. Hayden
Executive Vice President
BALIA

in comments advised that industry could not commit any funds until it knew what the cost would be; that if a figure were named this would be the amount a consultant would submit.

Mr. Callaghan advised that the RFP had been sent to all interested people; that only minor changes had been made after it had been submitted for comment and that these were made known to industry; that most comments were concerning the contract.

Jack C. Oppenheimer

in comments expressed concern that industry would be involved in the RFP, stating that he did not feel the Council members, public or industry were now in a position to make input to the Staff in view of what was adopted by the Board; that the amount of money available tends to define the level of study.

Mr. Kopp left at 12:10 P.M.

There was further discussion on whether the amount of money should be included in the RFP.

Jim Dehnert
Lion Oil Company

in comments stated RFP would define the extent of the study; that he did not believe the amount of money should be mentioned therein; that they were not unwilling to advise Staff the amount of money industry wished to commit.

After further discussion, Chairperson McCorquodale stated he would be in touch with Messers Callaghan and Oppenheimer and that if there were any problems he would so report to the board.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., September 20, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:15 P.M.

Respectfully submitted,

Mabel Harder, Secretary

MH:pme

4581

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BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
September 20, 1978
9:30 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Barbara Boxer,
Sam Chapman, Fred F. Cooper,
Dominic L. Cortese, Ralph P.
Doetsch, Sr., Robert A. Grimm,
James P. Kenny, Quentin Kopp,
Laython N. Landis, Daniel A.
McCorquodale, Richard Oliver,
Verne L. Roberts, Charles
Santana.

BOARD MEMBERS ABSENT:

Edward J. Bacciocco, Jr.,
M. Patricia Hilligoss,
Marguerite Leipzig.

ADVISORY COUNCIL
MEMBERS PRESENT:

Jack C. Oppenheimer, Vice-
Chairperson; Robert J. Debs.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell,
Hulan F. Brinkley, Warren R.
Crouse, Milton Feldstein, Richard
W. Grieves, Terry Lee, Dario
Levaggi, Donald A. Monaghan,
Edward W. McHugh, John F. Powell,
Douglas Winget, Mabel Harder.

- - -

Chairperson McCorquodale called the meeting to order at 9:40 A.M.

PUBLIC PRESENTATION

Chairperson McCorquodale explained that anyone wishing to make a statement that took only one-two minutes, and required no action, would be allowed to speak under this agenda item. He stated that any response necessary would be referred to the Staff for presentation at a later date.

There was no presentation.

APPROVAL OF MINUTES OF AUGUST 16, 1978
AND SEPTEMBER 6, 1978

Mr. Callaghan requested a correction to the August 16, 1978 minutes, page 6, paragraph 5, to read:

SB-2223-appropriates \$125 MM into Special Districts. Passed Senate Policy Committee. In its present form the District would have some problem with it because of the wording, and that the bill was going to be amended.

page 6, paragraph 13, last line to read "and Providing Fringe Benefits For the Professional Group, on roll call:"

Miss Harder requested a correction to the September 6 minutes, page 5, paragraph 9, to read: "Mr. Kopp arrived at 10:40 A.M."

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were presented:

J. Stumph
Concord

Commenting on the application of Urich Oil Company for a permit, suggesting that approval be delayed until the five county cancer study has been completed.

Janet Glasgow
Affirmative Action Council Member

Requesting to be placed on the Personnel Committees agenda for its next meeting in order to address the Committee regarding the Staff's unwillingness to support recommendations of the Council.

Randy H. Hamilton, Dean
Graduate School of Public Administration
Golden Gate University

Requesting copy of the 1978-79 "Preliminary Budget"

Charles Kinney
Counselor at Law
Building Industry Association

Referring to the public hearing on amending Regulation 3, relating to the control of organic emissions from valves and flanges, held September 6, 1978, with respect to the lack of technical support data for the action taken by the Board; pointing out EPA has already done a study on the matter and that to require another study to be conducted creates a direct cost to industry and ultimately to the public.

Brenda Cabral
Jacobs Engineering Group Inc.
Mountainside, New Jersey

Requesting copies of the District's regulations and Permit applications.

Brigitte M. Truesdale
Spokesperson
Concerned Commuters of Contra Costa County
Walnut Creek

Enclosing a petition of signatures opposing the Greyhound Commuter Bus Service discontinuing service on October 2, 1978 and seeking support of the District in petitioning the PUC to keep Greyhound running until adequate alternate public transportation is planned and provided for; that they have formally petitioned the PUC.

University of California Extension

Announcement of a one day conference, Air Pollution Effects on Vegetation in Northern California, October 16, 1978.

John L. Nicholson, M.D.
Los Altos

Copy of letter to the Advisory Council resigning effective October 1, 1978.

R. S. Cunningham
Exxon Company, USA

Commenting on the proposed definition of BACT in the New Source Review Rules, urging that the NSRR be made consistent the CAA Amendments of 1977 and that the BACT definition contained in §169(3) be adopted.

Robert B. Kern
Vice President - Secretary - Treasurer
Levi Strauss & Co.

Letter expressing concern over the proposed elimination of the Greyhound Bus Service from Contra Costa County to San Francisco and requesting the Board to investigate the problem and make certain an appropriate long term solution evolves; and enclosing correspondence with the PUC and MTC.

W. M. Imbrie
Lafayette

Expressing concern that the Greyhound Commute Service between Contra Costa County and San Francisco is to be discontinued and requesting support for the continuation of the service.

SET A PUBLIC HEARING FOR NOVEMBER 15, 1978 TO CLARIFY
LANGUAGE IN REGULATION 3 RELATING TO STORAGE OF ORGANIC
LIQUIDS

The APCO's report, Request for Public Hearing to Clarify Existing Language in Regulation 3 Regarding Storage of Organic Liquids, dated September 14, 1978, was presented.

SET A PUBLIC HEARING FOR NOVEMBER 15, 1978 TO CONSIDER
AMENDMENTS TO REGULATIONS 2 AND 3 ALLOWING EXPERIMENTAL
OPERATIONS

The APCO's report, Request for Public Hearing to Consider Amending Regulations 2 and 3 Regarding Experimental Operations, dated September 14, 1978, was presented.

CORRECTED RESOLUTION REGARDING ADMINISTRATIVE CODE CHANGES

Mr. Powell's memorandum, Corrected Resolution Regarding Administrative Code, dated September 12, 1978, was presented.

Mrs. Boxer moved the above Consent Calendar items be approved, with the corrections in the Minutes as noted; seconded by Mr. Kenny; carried.

REPORT OF BUDGET AND FINANCE COMMITTEE
Quentin Köpp, Chairperson

In the absence of Mr. Köpp, Vice Chairperson Doetsch advised that the Committee met on September 13, 1978; that the EPA grant will total \$528,000 rather than \$500,000; that a position of Air Pollution Inspector would be vacated and thus there would be a reduction \$14,600 in the Inspection Section accounts; that the amount to be transferred from the General Reserve to Fund Balance Available would be \$136,805; that 18 positions had been deleted for a total number of budgeted positions of 201; that the Committee recommends the reclassification of the Air Pollution Engineer's position in Research and Planning to Operations Research Analyst;

that the Committee recommends setting as a goal for further possible reduction in the number of positions to 192 for the Fiscal Year.

Mr. Cortese arrived at 9:46 A.M.

Mr. Callaghan advised that Director Kopp suggested the Staff determine if the title of General Reserve can be changed to more clearly reflect its use.

PUBLIC HEARING TO ADOPT BUDGET FOR 1978-79

Chairperson McCorquodale opened the public hearing at 9:46 A.M. Mr. Powell furnished the Secretary 9 Affidavits of Publication of Notice to Taxpayers.

The APCO's report, Budget 1978-79, dated September 14, 1978, together with the Budget 1978-79, was presented, and Mr. Callaghan briefly reviewed it.

The following made presentations:

Burton A. Okin
President, Professional Employees' Association

In comments pointed out that over the past several years District pay scales have fallen behind comparison groups; that there is no financial provision for an increase in fringe benefits in the proposed budget, and requested approval for the necessary funding to improve the competence, efficiency and morale of the Staff.

Chairperson McCorquodale closed the public hearing at 9:53 A.M.

In discussion of Mr. Okin's presentation, Mr. Callaghan cautioned against using the General Reserve because next year there might be difficulty in getting monies. He pointed out that it is proposed that the District health benefits program be under the Meyers-Geddes State Employees Medical and Hospital Care Act and that a floating holiday be substituted for the Admissions Day holiday. Mr. Winget in commenting on the benefits of PERS health care to employees, stated it will lower the rates to the employees and increase District cost; that the highest take home pay increase would be \$32/Mo.

Chairperson McCorquodale in comments stated the Board understood the frustration of the employees regarding the recent reclassification and salary survey but that trying to maintain the fiscal integrity of the District was important and that the Staff should examine other possibilities of getting additional monies because adequate compensation to employees was important; that the Board was aware of the problem and was concerned about it.

The following resolutions were adopted:

No. 1077, In the Matter of Authorizing Transfer of Funds to Provide for Expenses for the District.

No. 1078, In the Matter of Transferring Funds from Permanent Salaries to a Reserve for Adjustments for Prior Years.

No. 1079, In the Matter of Transferring Funds and Continuing the General Reserve.

No. 1080, In the Matter of Transferring Funds from the Unencumbered Balance of Appropriations to Fund Balance Available.

No. 1081, In the Matter of Continuing the Salary Ranges of District Employees.

No. 1082, In the Matter of Approving the Budget for the Bay Area Air Pollution Control District for the Fiscal Year Ending June 30, 1979 (1978-79).

No. 1083, In the Matter of Authorizing the Air Pollution Control Officer to Sell or Dispose of Obsolete or Surplus Equipment.

No. 1084, In the Matter of Establishing a Further Reduction in Staff as a Goal for Fiscal Year 1978-79.

On motion of Mr. Doetsch; seconded by Mr. Kenny.

In discussion of Resolution No. 1084, Mr. Callaghan advised that there were presently 9 vacant positions which will be filled in order for the District to operate effectively; Directors Landis and Grimm urged that there be a reduction to 192 employees by June 1979; the Board agreed to adopt the Resolution and refer the matter to the Personnel Committee to determine how this goal can be met.

The motion carried on roll call:

AYES:

BOXER, CHAPMAN, COOPER,
CORTESE, DOETSCH, GRIMM, KENNY,
LANDIS, McCORQUODALE, OLIVER,
ROBERTS, SANTANA.

NOS:

NONE.

ABSENT:

ASERA, BACCIOCCO, HILLIGOSS,
KOPP, LEIPZIG.

a. Consideration of Adoption of Resolutions to Provide for Fringe Benefits for the 1978-79 Fiscal Year.

Adopted the following resolutions:

1085, In the Matter of Approving a Memorandum of Understanding and Providing Fringe Benefits.

1086, In the Matter of Electing to Participate in the FERS Health Benefits Program (Meyers-Geddes Act).

On motion of Mrs. Boxer; seconded by Mr. Chapman; carried on roll call:

AYES BOXER, CHAPMAN, CORTESE, DOETSCH, GRIMM, KENNY, LANDIS, MCCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES NONE.

ABSENT ASERA, BACCIOCCO, COOPER, HILLIGOSS, KOPP, LEIFZIG.

b. Consideration of Adoption of a Policy for a Layoff and Recall Provision.

Adopted Resolution No. 1087, In the Matter of Adopting a Uniform Layoff and Recall Procedure, on motion of Mrs. Boxer; seconded by Mr. Chapman; carried on roll call:

AYES BOXER, CHAPMAN, CORTESE, DOETSCH, GRIMM, KENNY, LANDIS, MCCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES NONE.

ABSENT ASERA, BACCIOCCO, COOPER, HILLIGOSS, KOPP, LEIFZIG.

REPORT OF ADVISORY COUNCIL

Jack C. Oppenheimer
Vice Chairperson

Mr. Oppenheimer reviewed his report, Report of Advisory Council, dated September 20, 1978.

In discussion, Mr. Grimm inquired if ARB referrals should be routinely referred to the Advisory Council before submission to the Board pointing out it was important for a technical group to review the Regulations. In the discussion of the suggestion, Mr. Callaghan stated he felt that any Regulation should be presented to the Board first for review to determine whether it wished to so refer to the Advisory Council; that some Regulations don't lend themselves to being reviewed by the Council; that many times the ARB puts a time limit for adopting them. Mr. Oppenheimer pointed out that the Advisory Council had a number of referrals already; that the Board may not want to refer some of the Regulations

depending on their nature; that he would discuss this matter in Executive Committee at the earliest opportunity; that generally a report could be made to the Board within 60 days. Mr. McCorquodale suggested that when a Regulation is referred to the Council, that a public hearing could be set at the same time so that the imposed time-frame could be adhered to.

PUBLIC HEARING TO CONSIDER ADOPTING TECHNICAL CORRECTIONS
TO REGULATION 3 REGARDING SUBMERGED FILL IN STORAGE TANKS

The APO's report, Technical Correction to Regulation 3, Storage Tanks, dated September 14, 1978 was presented.

Chairperson McCorquodale opened the public hearing at 10:30 A.M..

Mr. Powell furnished the Secretary nine Affidavits of Publication of Notice of Public Hearing.

There were no presentations.

Chairperson McCorquodale closed the public hearing at 10:31 A.M.

On motion of Mr. Cooper; seconded by Mr. Doetsch; adopted Resolution No. 1088, In the Matter of Amending Regulation 3 Relative to Storage Tanks; carried on roll call:

| | |
|--------|---|
| AYES | BOXER, CHAPMAN, COOPER, CORTESE, DOETSCH, GRIMM, KENNY LANDIS, MCCORQUODALE, OLIVER, ROBERTS, SANTANA. |
| NOES | NONE. |
| ABSENT | ASERA, BACCIOCCO, HILLIGOSS, KOPP, LEIPZIG. |

PUBLIC HEARING TO CONSIDER AMENDING REGULATION 2
TO CONTROL NO_x EMISSIONS FROM NATURAL GAS-FIRED
FAN TYPE CENTRAL FURNACES

The ARBO report, Public Hearing to Consider the Control of Emission of NO_x from Natural Gas-Fired Fan Type Central Furnaces, dated September 14, 1978 was presented.

Mr. Powell furnished the Secretary 9 Affidavits of Publication of Notice of Public Hearing.

Mr. Kopp arrived at 10:35 A.M.

Mr. Feldstein outlined the Regulation, stating that industry has indicated they will have difficulty meeting the limit in the time frame established; that reduction of NO_x from this source will begin in 1986; that a major source of NO_x is the exhaust from motor vehicles and that the regulation thereon goes into effect in 1981-82.

In discussion, Mr. Feldstein outlined various effective dates in the regulation, advising that it did not apply to existing furnaces. In response to Mr. Cooper's inquiry, Mr. Feldstein stated that the District's modelling studies did show that with concurrent reduction of hydrocarbons and NO_x, ozone values in the basin would tend to increase, but that it has also been pointed out that if NO_x were allowed to increase without any control, it would cause ozone problems downwind; that AQMP recognizes this and he read from a technical bulletin thereon.

Mr. Asera arrived at 10:40 A.M.

Mr. Cooper stated that he felt Statewide strategy needed to be formulated on NO_x reduction; that local impact needs to be addressed.

Mr. Feldstein pointed out that the NO₂ standard was exceeded 10 times in 1976; once in 1977 and none in 1978, but that if NO_x emissions are allowed to increase, the standard will again be exceeded; that the strategy should be to first look at NO_x emissions from automobiles because it is the Staff's feeling that all the excesses which have occurred in the past have been the direct result of them.

Mr. Cooper suggested that the matter be referred to the Technical Committee of the Advisory Council and Mr. Feldstein pointed out that the Council has been reviewing this for about 1½ years. Mr. Cooper then suggested that the Staff be directed to draft a statement to the ARB that the District believes that adopting the proposed regulation is going in the wrong direction; that a Statewide strategy or some justification needs to be given, and inquiring why a regulation is being proposed for an area where there are no major violations and that the draft statement be discussed with the Technical Committee.

In response to Mr. Chapman, Mr. Feldstein stated that it has been concluded that if there is a 40% hydrocarbon reduction from present emissions, the ozone limit achieved would be 0.08 ppm; if there is

a 40% hydrocarbon reduction and 20% NO_x reduction, the ozone level would be 0.11 at point of maximum concentration; that NO_x emissions presently are 700 T/D; that maximum to be achieved by the proposed regulation is 5-15 T/D, and it will have no effect on oxidant. Mr. Chapman stated that if a reduction in NO_x can be achieved without affecting oxidant he felt that Regulation should be adopted to which Mr. Cooper was opposed until there was a clear strategy on NO_x emissions. Mrs. Boxer suggested the Board adopt the regulation and at the same time express its concern to the ARB.

After further discussion, Mr. Cooper moved that the Staff be directed to prepare a letter to the ARB, in consultation with the Technical Committee, raising the questions discussed by the Board, for presentation to the Board; seconded by Mr. Landis.

After discussion of the ARB's strategy, the motion carried on roll call:

AYES: COOPER, CORTESE, GRIMM, KENNY, KOPP,
ROBERTS, SANTANA

NOS: ASERA, BOXER, CHAPMAN, DOETSCH, MCCORQUODALE
OLIVER

ABSENT: BACCIOCCO, HILLIGOSS, LANDIS, LEIPZIG.

Mrs. Boxer left at 11:05 A.M.

Mr. Kopp moved to continue the public hearing to January 3, 1979; seconded by Mr. Kenny; carried.

The following made a presentation:

Jack Langmead
Gas Appliances Manufacturers Association

Expressed concern for meeting the regulation, and he presented a chart entitled, Gas Furnace NO_x Emissions; that the regulation was not cost-effective.

It was suggested that he make his presentation to the Advisory Council also.

CONTINUATION OF PUBLIC HEARING FOR CONSIDERATION OF NEW
SOURCE REVIEW RULE. DISCUSSION TO BE LIMITED TO DEFINITION
OF BACT.

The following reports were presented:

APCO entitled, Continued Public Hearing on New Source Review Definition of BACT (Best Available Control Technology) dated September 14, 1978.

Letter from R. S. Cunningham, Exxon Company USA, dated September 19, 1978.

Letter from Supervisor Eric H. Hasseltine, Contra Costa County, dated September 13, 1978.

Chairperson McCorquodale opened the public hearing at 11:13 A.M.

Mr. Powell presented the Secretary with 9 Affidavits of Publication of Notice of Public Hearing.

Mr. Santana left at 11:20 A.M.

The following made presentations:

Jeff Gabe
Citizens for Better Environment

Spoke in favor of the ARB definition stating the District and State should work towards uniformity of the definition nationwide.

Mr. Kopp left at 11:25 A.M.

George Hagevik
ABAG

Spoke in favor of the Staff's definition and referred to the definition adopted by the EMTF.

He referred to SB-2167, pointing out it did not allow the ARB to adopt any air quality regulation for the Bay Area more stringent than that in the EMP.

James Denhert
Air Resources Committee
BALIA

Spoke in support of the Staff's recommendation.

Forest Bottomley
Supervisor, Environmental Engineering
Union Oil Company of California

Presented a written statement supporting a BACT definition no more restrictive than the LAER definition contained in the 1977 Clean Air Act Amendments; that said definition should be set for all contaminants-attainment or non-attainment.

Charles Kinney
Building Industry Association of Northern California

Spoke in support of the Staff's definition.

In discussion, Mr. Feldstein explained the LAER and BACT requirements under the Clean Air Act.

Mr. Cooper moved the District adopt the Federal requirements on both BACT and LAER; seconded by Mr. Kenny, carried.

Mr. Cooper left at 11:35 A.M.

REPORT OF AIR POLLUTION CONTROL OFFICER

D. J. Callaghan

Mr. Callaghan referred to SB-2167 which he stated had been signed by the Governor; that he would make a report on all legislation signed by the Governor at the October 4, 1978 meeting.

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Mr. Callaghan requested a clarification of the understanding between the District and Industry with respect to the modeling study, stating he understood that the money should be in escrow before the RFP is let, but that a letter received from Mr. John Hansen was in conflict with this understanding. Mr. Powell reviewed Mr. Hansen's letter, stating that BALIA is requesting several changes in the contract; that there be a separate agreement between the District and BALIA with respect to funding; that BALIA execute the agreement only after the District has selected the contractor and the amount of money to be paid to the contractor has been established.

There was discussion on what the understanding the, Chairperson McCorquodale advising that the Board decided that RFP should be developed, after which industry would commit itself to pay for it and the money would be put in a District fund to be released at the time the Board signed the contract; that the RFP would be let for bid, after which the District would select the contractor; that the Staff has interpreted the Board's direction correctly.

Mr. Landis stated this was not his understanding; that there was no need to have the money in escrow when the bid is let. Mr. McCorquodale pointed out that the only way for the study to have any validity is for the money to be available; that once the RFP is put out for bid, the Board is committed to the study; that the RFP should not go out until the matter is settled.

Jack C. Oppenheimer, Vice Chairperson
Advisory Council

Spoke in support of Chairperson McCorquodale's statement of understanding

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Chairperson McCorquodale advised that any report which a Board member would like to make would be given under this agenda item.

Mr. Kenny referred to the letter received from Mr. Glenn Martell expressing concern for the high permit fee for a 550 gallon storage tank. Mr. Callaghan responded that the Staff is working on a revised fee schedule and hoped to present it to the Board within a month.

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The following reports were presented:

Pending Referrals from Board of Directors, dated September 8, 1978; Board Referrals to Advisory Council, dated September 14, 1978.

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On inquiry from Mr. Chapman, Mr. Powell advised that appropriate Conflict of Interest forms would be sent to the Board members; that the forms need to be filed by October 11, 1978; that the first annual statement will be due April 1, 1979.

PUBLIC COMMENTS

There were no presentations.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday October 4, 1978, 939 Ellis Street
San Francisco, California.

The meeting adjourned at 11:50 A.M.

Respectfully submitted

Mabel Harder, Secretary

MH:js

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
October 4, 1978
9:30 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT: Barbara Boxer, Sam Chapman
Fred F. Cooper, Dominic L. Cortese,
Ralph P. Doetsch, Sr., Robert A. Grimm,
M. Patricia Hilligoss, James P. Kenny,
Quentin Kopp, Laython N. Landis,
Marguerite Leipzig, Daniel A. McCorquodale
Richard Oliver, Verne L. Roberts,
Charles Santana.

BOARD MEMBERS ABSENT: Larry Asera, Edward J. Bacciocco, Jr.

ADVISORY COUNCIL
MEMBERS PRESENT: Douglas A. Cook, Robert J. Debs.

STAFF MEMBERS PRESENT: D. J. Callaghan, Thomas F. Bell,
Hulan F. Brinkley, Warren R. Crouse,
Milton Feldstein, Richard W. Grieves,
Dario Lavaggi, Donald A. Monaghan,
Edward W. McHugh, John F. Powell,
Mabel Harder.

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Chairperson McCorquodale called the meeting to order at 9:40 A.M.

PUBLIC PRESENTATION

There was no presentation.

The following consent items were approved:

APPROVAL OF MINUTES OF SEPTEMBER 20, 1978

Mr. Callaghan requested changes in the Minutes as follows:

Page 5, paragraph 11, line 9, delete the words, "and increase District cost".

Page 6, paragraph 11, line 2, change the word, "will" to "may".

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were presented:

Charlie Hunt, Manager
Los Angeles Distribution Center
Xerox Corporation

Information on the West Coast Supply Ordering Centers.

D. Scharver
Region Sales Manager
Particulate Air Pollution Control
Union Carbide Corporation

Copy of letter to Mr. Callaghan regarding technologies for particulate air pollution control.

George Lynch
San Francisco

Urging the Board to use its influence to have Greyhound buses continue its Contra Costa County commuters service.

Robert B. Yoshitomi
Lillick McHose & Charles

Enclosing a copy of the Comments of Shell Marine (U.K.) Limited on the revised model lightering regulation, urging that said model regulation or other similar regulations not be adopted.

Mary McLean, President
Palo Alto League of Women Voters

Advising of their film, "The Thin Edge of the Bay", dealing with the trade-offs and decisions that must be made in the process of solving the problems of bringing air and water quality up to State and Federal laws.

C. Carl Martin
Assistant Director of Finance
Tax Collector/Treasurer
County of Santa Clara

Submitting a list of properties deeded to the State of California for non-payment of taxes.

Roy M. Bell
Director of Finance
State of California

Advising of the criteria used to allocate funds to Special Districts, stating that the District request did not meet the criteria for high priority funding needs set forth in Chapters 292 and 332.

ARB Staff Report

Public Hearing for Consideration of Adopting Sulfur Dioxide Emissions Regulations for the BAAPCD, presented to the ARB for consideration October 25, 1978.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for September 1978, Dated September 26, 1978; Director of Technical Services Monthly Activity Report, August 24 through August 29, 1978; Director of Engineering Services Monthly Activity Report, August 21, 1978 through September 20, 1978; Director of Public Information Monthly Activity Report - August 26, 1978 - September 26, 1978; Status of Legal Matters - August 29, 1978 - September 22, 1978.

RESOLUTION TO APPROVE SUBVENTION APPLICATION TO STATE AIR RESOURCES BOARD

Resolution No. 1089, In the Matter of Authorizing the Air Pollution Control Officers to Submit a Final Application for Subvention to the Air Resources Board.

SET PUBLIC HEARING FOR DECEMBER 6, 1978 TO CONSIDER THE CONTROL OF FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

SET A PUBLIC HEARING HEARING FOR DECEMBER 6, 1978 TO CONSIDER THE CONTROL OF ACID MISTS FROM SULFURIC ACID PLANTS

The APCO's report entitled, Set Public Hearings for Control of Emissions from Phosphate Fertilizer Plants and Sulphuric Acid Production Units,

dated September 28, 1978, was presented.

On motion of Mr. Doetsch, seconded by Mr. Kenny; carried on roll call:

AYES BOXER, CHAPMAN, CORTESE, DOETSCH, GRIMM, HILLIGOSS,
 KENNY, LEIPZIG, MCCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES NONE

ABSENT ASERA, BACCIOCCO, COOPER, KOPP, LANDIS.

CONTINUATION OF PUBLIC HEARING ON NEW
SOURCE REVIEW RULE

The following reports were presented:

APCO entitled, Continued Public Hearing on New Source Review,
dated September 27, 1978.

In discussion, Mr. Powell pointed out that if the Board adopted any changes in the present NSRR, these changes would have to receive the approval of the ARB Executive Officer before they could become effective.

Mr. Feldstein reviewed the proposed regulation dated September 27, 1978, specifically with respect to the definitions of BACT and LEAR, trade-offs and requirements to be met, which differed from the present regulation. He pointed out that the ARB has found several deficiencies in the Kern County Rule, and he read from the EPA letter attached to the ARB letter to Chairperson McCorquodale with respect to the deficiencies. He stated that District is suggesting that certain kinds of exceptions and trade-offs not be approved by the ARB, but that the District make that determination.

Chairperson McCorquodale opened the public hearing at 10:05 A.M.

The following made presentations:

Charles Kinney
Building Industry Association of Northern California

Presented a written statement. He advised that Mrs. Marjorie Evans of the ARB suggested the EPA wording with respect to off-set be added to the Regulation. He suggested adding a new section under §1309(d)B with respect to social and economic benefits similar to §172 of the CAA as follows:

A new stationary source or a modification of an existing stationary source that demonstrates that benefits of the proposed source significantly outweighs the environmental and social costs imposed because of its location, construction or modification.

together with language on analysis of alternate sites, and include concurrence of the ARB and EPA.

He expressed concern with respect to §1309(d)A - 20% requirement, stating he felt other States would require no greater than one to one improvement ratio.

Messrs Cooper and Kopp arrived at 10:15 A.M.

Mr. Kinney expressed concern about §1309(d)Bj - five mile limitation - suggesting that it should be written as broadly as possible.

In discussion, Mr. Feldstein stated that adding the language with respect to social and economic benefits would negate the entire CAA program; that the 20% requirement is designed not only to keep the present status but to achieve additional reductions.

There was discussion on the one to two requirement, Mr. Cooper stating that even on a one to one basis, the District could not be competitive now with other parts of the country because of the District's stringent rules. In further discussion of the 20% requirement, Mrs. Boxer stated that she felt the Board should adopt the best regulation possible and not one based on politics for future Boards to contend with. Mr. Powell reviewed §172 of the CAA.

Jim Denhert
Chairperson, Air Resources Committee
BALIA

Referred to their letter of July 25, 1978, outlining specific questions. He requested the matter be continued for further hearing because the proposed regulation presented today was slightly different from that submitted previously and they had just received it. He expressed concern about the five mile limitation; 1.2 to 1 ratio - prefers a greater than one; suggested eliminating provisions for replacement of existing sources because it may be impossible for a plant to comply with the 20% reduction; 15# rule should apply to modification rather than to source; §1309(d)Bf should be eliminated, or a provision inserted that the APCO shall be responsible to determine that a source selected for off-set complies; §1311(d) paragraph 2, delete second sentence; §1311(e) delete the words in third line, "or data interpolated".

Forrest Bottomley
Supervisor, Environmental Control
Union Oil Company

Requested continuance of the hearing until he had had an opportunity to review the current proposal. He expressed concern about §1308(b)1 that LEAR was not left in the regulation. At this point Mr. Feldstein requested a correction in §1308(a) - last line to read "lowest achievable emission rate" instead of BACT.

Mr. Bottomley expressed concern about the 20% requirement and replacement, referring to §1316k of present regulation; he referred to the numbering discrepancies.

Delores Owens
Chevron USA

Commented on modification requirements to existing facilities, and the need to use BACT on the entire facility.

Mr. Landis arrive at 11:10 A.M.

Mr. Feldstein in response stated that the Staff requirement is to use RACT, and it defines it; that the requirement on tanks is secondary seals; that BACT would only apply if the modification would not result in a net increase; that a Committee has been established by the ARB and the California Air Pollution Control Officers Association and that they are meeting to publish a list of the use of BACT and RACT on specific pieces of equipment.

Mr. Kopp moved that the public hearing be closed; seconded by Mrs. Hilligoss.

There was discussion on whether the public hearing should be closed in view of the fact the matter was going to be further discussed by the Board at another meeting, which would preclude public input. The motion failed on roll call:

| | |
|--------|---|
| AYES | BOXER, COOPER, HILLIGOSS, KENNY, KOPP, LEIPZIG MCCORQUODALE. |
| NOES | CHAPMAN, CORTESE, DOETSCH, GRIMM, LANDIS, OLIVER ROBERTS, SANTANA. |
| ABSENT | ASERA, BACCIOCCO. |

Mr. Cooper moved the following sense motions for Staff to modify the language to provide:

1. That the Rule require reductions of greater than one to one, similar to EPA rule, but not two to one.

Seconded by Mr. Grimm; carried.

2. Rule to provide for a five mile radius except on hydrocarbons and NO₂ where the ratio on those to be ten miles.

Seconded by Mr. Kenny; carried.

3. Rule to be modified with respect to trade-offs so that in those situations where the trade-off reduction is subject to a permit issued by the District, Staff is to be responsible for enforcement; if a trade-off is granted where there is no permit, then enforcement to be the Applicant's responsibility; §1309(d)1B(f) to read, "any violation of any permit condition required to reduce emissions has

been granted by the APCO".

Seconded by Mr. Kopp; carried.

4. Add another section under §1309(d) - Exemptions - to allow a source to apply to the Board for an exception, adding language from the Clean Air Act suggested by Mr. Kinney with respect to social and economic impact.

Seconded by Mr. Kenny.

In discussion, Mr. Chapman stated he felt this would be in violation of State law; that the Board sets the policy, and the APCO makes the decision. Mr. Powell stated he felt that the Board could adopt this type of language, but that he would have to research its legality further.

Mr. Cooper then added to his motion that the Counsel give a written opinion on this before the language is proposed.

The motion failed.

5. Rule to provide for banking of pollutants based on reduction on a voluntary basis; that an application be submitted to the District before reductions are made and provide for the credit to be set up as follows: 100% the first year; 75% - second year; 50% - third year; 25% - fourth year.

Seconded by Mr. Kenny; carried.

Mr. Grimm moved that a section referring to interpolating between points be worded to leave freedom to the APCO to use any reasonable determination; seconded by Mr. Landis; carried.

Mr. Kopp moved that the public hearing be continued to November 1, 1978; seconded by Mrs. Boxer; carried.

Mr. Cooper and Mrs. Leipzig left at 11:45 A.M.

APPROVAL OF CONTRACT WITH BALIA FOR
SO₂ MODELING STUDY

The following reports were presented:

Mr. Powell entitled, Contract with BALIA Concerning Funding of SO₂ Study, dated September 29, 1978.

Mr. Powell entitled, Proposed Change in SO₂ Contract Suggested by BALIA, dated October 2, 1978.

APCO entitled, ARB Public Hearing to Adopt SO₂ Regulation for the District, dated October 2, 1978.

Mr. Feldstein reviewed a chart entitled, Comparison of SO₂ Limits, undated.

After discussion, it was decided that Director Kopp would make a presentation to the ARB on October 25, setting forth a broad policy statement on actions taken by the Board, and that a Staff member would make the technical presentation with respect to the modeling study.

Mr. Powell outlined the contract contained in his report dated September 29, and made a correction on page 2 of the Agreement, paragraph 7, line 2 to read, "paragraph 5 or paragraph 6...." He pointed out that even if ARB adopts a rule for the District, the District would be agreeable to continuing with the study but that BALIA wants the option to withdraw its funds.

Mr. Kenny moved that the Board authorize the Chairperson to sign the contract with BALIA; seconded by Mr. Doetsch.

Mrs. Boxer spoke in opposition, stating she felt it was a conflict of interest.

The motion carried on roll call:

AYES Cortese, Doetsch, Grimm, Hilligoss, Kenny, Kopp, Landis, Oliver, Roberts, Santana.

NOES Boxer, Chapman, McCorquodale.

ABSENT Asera, Bacciocco, Cooper, Leipzig.

REPORT OF AIR POLLUTION CONTROL OFFICER

Mr. Callaghan reviewed his report, Final Report of the State Legislature 78/79 - Legislative Session, dated October 3, 1978.

Mr. Callaghan pointed out that the name of the District has been changed to Bay Area Air Quality Management District.

Mr. Callaghan advised that one of the procedures during an Alert is to notify each Director and inquired whether or not they wished this continued. After discussion, it was decided that if a Director wished to be notified, he should advise Mr. Callaghan.

Adopted Resolution No.1090, In the Matter of Ratifying a Memorandum of Understanding, on motion of Mr. Landis; seconded by Mr. Grimm; carried on: roll call:

AYES Boxer, Chapman, Cortese, Doetsch, Grimm, Hilligoss, Kenny, Kopp, Landis, McCorquodale, Oliver, Roberts, Santana.

NOES None

ABSENT Asera, Bacciocco, Cooper, Leipzig.

Mr. Callaghan advised that at the next Board meeting he would present a report recommending charging for regulations and other publications.

Mr. Callaghan advised that EPA has now advised that it cannot justify giving the District \$538,000 because of the law under which they have been working; that the District is a non-selective group; that in order to provide the funds under the law, it was necessary for the District to show it was discriminated against by the State; that a meeting would be held with EPA representatives tomorrow so that the matter can be resolved; that he would advise Chairperson McCorquodale the results therefrom.

Mr. Callaghan suggested setting a date for an Orientation session new Board members and suggested that any Director interested should let him know the date convenient to him. Chairperson McCorquodale suggested that this be held on a regular Board meeting day.

Mr. Callaghan reminded the Directors that the Conflict of Interest Statement needed to be filed with him by October 11, 1978.

Mr. Callaghan requested authorization for Mr. Feldstein to travel to Pittsburgh, Pennsylvania on October 20, 1978 to attend the meeting of the Board of Directors of the National Air Pollution Control Association; that no funds were involved. Mr. Kopp so moved; seconded by Mrs. Boxer; carried.

CHAIRPERSON'S REPORT

Mr. Oliver reported on his attendance at Advisory Council meetings, stating they have been involved in the recodification of the regulations. He advised that there were two vacancies on the Advisory Council, one in Public Health Agency category and the other in the Unspecified category, and requested the Directors and any member of the public to submit recommendations for those categories by October 16, so that they could be considered at the next Personnel Committee meeting.

Mrs. Boxer moved that the Board accept Dr. Roth's resignation with regret; seconded by Mr. Kenny; carried.

Chairperson McCorquodale announced that there would not be a Regular Board meeting on October 18, 1978; but that the Personnel Committee would meet on October 18, 1978 at 9:30 A.M.; and that the Executive Committee would meet at 10:30 A.M. on October 18, 1978.

The following reports were presented:

Pending Referrals from Board of Directors, dated September 25, 1978.

Board Referrals to Advisory Council, dated September 25, 1978.

PUBLIC COMMENTS

There were none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, November 1, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:25 P.M.

Respectfully submitted

Mabel Harder, Secretary

MH:ja

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UNIVERSITY OF CALIFORNIA

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday ✓
November 1, 1978
9:30 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT: Larry Asera, Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman, Fred F.
Cooper, Dominic L. Cortese, Ralph P.
Doetsch, Sr., Robert A. Grimm,
M. Patricia Hilligoss, James P. Kenny,
Laython N. Landis, Daniel A. McCor-
quodale, Verne L. Roberts, Charles
Santana.

BOARD MEMBERS ABSENT: Quentin Kopp, Marguerite Leipzig,
Richard Oliver.

HEARING BOARD MEMBER
PRESENT: Ruth H. Koehler.

ADVISORY COUNCIL
MEMBERS PRESENT: Michael V. Dyett, Robert J. Debs.

STAFF MEMBERS PRESENT: D. J. Callaghan, Thomas F. Bell,
Hulan F. Brinkley, Thomas Crawford,
Warren R. Crouse, Milton Feldstein,
Dario Lavaggi, Donald A. Monaghan,
Edward W. McHugh, John F. Powell,
Mabel Harder.

Chairperson McCorquodale called the meeting to order at 9:40 A.M.

PUBLIC PRESENTATION

There was no presentation.

The following Consent Calendar items were approved:

APPROVAL OF MINUTES OF OCTOBER 4, 1978

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were received:

Norman A. Bonner

resigning from the Advisory Council effective January 1, 1979
because of other commitments.

U.S. Department of Commerce

1978 Survey of Local Government Finances - Special Districts

Ronald A. Friesen

Chief

Industrial Project Evaluation

Control Strategy Development Branch

ARB

Amending Section 3123.1 of the proposed SO₂ regulation for the District.

Elinore C. Morgan

Staff Counsel

Public Utilities Commission

Responding to Chairperson McCorquodale's letter with respect to the proposed discontinuation of Greyhound bus service in Contra Costa County, attaching their decision of October 3, 1978 to extend the service to December 31, 1978.

Director Sam Chapman

Copy of letter to Thomas Quinn, ARB, with respect to the public hearing on adopting SO₂ regulation for the District.

William H. Lewis, Jr.

Executive Office

ARB

Copy of letter to Revan A.F. Tranter, ABAG, with respect to the air quality chapter of the plan adopted by ABAG, outlining the deficiencies therein.

William H. Duewer
Atmospheric and Geophysical Sciences Division
Lawrence Livermore Laboratory

Submitted his resume for the Unspecified Category on the Advisory Council.

R. F. Miller
Chief Refinery Engineer
Union Oil Company of California

Commenting on the proposed New Source Review Rule, and recommending changes thereto.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report for October 1978; Director of Technical Services Monthly Activity Report, September 21 through October 17, 1978; Director of Engineering Services Monthly Activity Report, September 21, 1978 to October 20, 1978; Director of Public Information Monthly Activity Report, September 27, 1978 - October 24, 1978; Statue of Legal Matters - September 25, 1978 - October 23, 1978; Controller's Appropriation Statement and Cash Position September 30, 1978.

APPROVAL OF CONTRACT WITH ABAG FOR PAYMENT FOR DISTRICT SERVICES

The APCO's report entitled, Approval of Modelling Contract with ABAG, dated October 20, 1978 was presented. Adopted Resolution No. 1091, In the Matter of Authorizing the Air Pollution Control Officer to Execute a Contract with the ABAG for Providing Oxidant Control Modelling Studies.

APPROVAL OF CONTRACT WITH ARB FOR PAYMENT FOR DISTRICT AIR MONITORING SERVICES

The APCO's report entitled, Approval of Air Monitoring Contract With Air Resources Board, dated October 25, 1978 was presented. Adopted Resolution No. 1092, In the Matter of Authorizing the Chairman of the Board of Directors to Execute an Agreement With the ARB for Air Monitoring.

SET A PUBLIC HEARING FOR JANUARY 3, 1979 TO CONSIDER AN UPSET/BREAKDOWN RULE

The APCO's report entitled, Public Hearing on Upset/Breakdown Rule, undated, was presented.

On motion of Mr. Landis; seconded by Mr. Kenny; carried on roll call:

AYES BOXER, COOPER, DOETSCH, GRIMM, HILLIGOSS, KENNY,
 LANDIS, McCORQUODALE, ROBERTS, SANTANA.

NOES NONE

ABSENT ASERA, BACCIOCCO, CHAPMAN, CORTESE, KOPP,
 LEIPZIG, OLIVER.

Dr. Bacciocco and Mr. Chapman arrived at 9:43 A.M.

REPORT OF EXECUTIVE COMMITTEE

Daniel A. McCorquodale, Chairperson

Chairperson McCorquodale reported that the Committee met on October 18th and discussed a request from Mr. Callaghan to allow the employees to vote on whether or not they wanted to remain in Social Security; that the matter was agendized today. He referred to the Pending Referrals from the Board of the Directors, dated October 5, 1978, stating that the Committee recommended that those items with an asterisk would be deleted unless a Director had a question thereon. He advised that the Role of the Advisory Council would be discussed after the Committee has received the Council's recommendations thereon. He advised that an Orientation Session would be held at the December 6th Board meeting; that a tour of the Chevron Refinery would be made after the first of the year on a regular Board meeting day if possible and that a tour of another plant in the vicinity would be visited on the same day if possible.

Chairperson McCorquodale advised that it was agreed that the second Wednesday of the month would be established for Committee meetings.

REPORT OF PERSONNEL COMMITTEE

Richard Oliver, Chairperson

In the absence of Mr. Oliver, Chairperson McCorquodale advised that the Committee met on October 18th to discuss the two vacancies on the Advisory Council; that the Committee recommends that Dr. Kong Meng Tan be appointed in the Public Health Agency category for the unexpired term of Dr. John L. Nicholson. Dr. Tan's resume was presented. Mr. Kenny so moved; seconded by Mr. Doetsch; carried.

Chairperson McCorquodale stated that the Committee would make its recommendation on filling the Unspecified category after review of the applications which had been received.

He stated that the Committee recommends that the title, Secretary, be changed to Clerk of the District to more nearly reflect the duties and responsibilities of that position. Dr. Bacciocco so moved; seconded by Mrs. Hilligoss; carried.

Mr. Cooper moved that the Board give notice today that the appropriate sections in the Administrative Code be amended to reflect the change in title at the next Board meeting; seconded by Mr. Doetsch; carried.

Mr. Cortese arrived at 9:47 A.M.

HEARING BOARD QUARTERLY REPORT

Ruth H. Koehler

Mrs. Koehler briefly reviewed the Hearing Board Quarterly Report, July 1, 1978 - September 30, 1978, dated October 18, 1978. She reviewed the difference between an air pollution variance and a planning-land use variance; and outlined the four distinct findings that the Hearing Board must make in its decision.

CONTINUATION OF PUBLIC HEARING ON NEW SOURCE REVIEW RULE

Chairperson McCorquodale opened the public hearing at 10:05 A.M.

Mr. Callaghan referred to his report entitled, Continued Public Hearing on New Source Rule, undated. He advised that ARB is reviewing the regulation and is attempting to clarify a number of areas; that ARB will be proposing some additional changes in the next two to three weeks; that ARB recommends that the District await the changes before continuing its discussion of the matter.

Mr. Asera arrived at 10:03 A.M.

The following made presentations:

Jeffrey D. Gabe
Citizens For A Better Environment

reviewed his written presentation dated November 1, 1978.

In discussion of Mr. Gabe's suggestion that Section 1311(d) be amended to calculate emissions at actual daily emissions, he stated a profile would be used, and referred to the Urich Oil Company application.

After discussion of continuing the public hearing and Mr. Cooper's request that a preliminary report on the ARB proposal be received from Staff the middle of December, Mr. Chapman moved to continue the public hearing to January 17, 1979, and that the Staff report by December 20, 1978 on the ARB proposals; seconded by Mr. Grimm; carried.

DISCUSSION ON WITHDRAWAL FROM SOCIAL SECURITY

Mr. Callaghan reviewed the background of discussion of withdrawing from Social Security during the past two years, and referred to his report entitled, Social Security, dated October 25, 1978. He advised that the Division Heads, Sub-division Heads, and Section Heads had voted overwhelmingly to withdraw; that the

reason for giving notice of said withdrawal at this time is because if an indication is not given by December 1, 1978 the District will have to wait until December 1, 1979 to give notice.

In discussion, Mr. Kenny referred to the consultant's report given to the Board previously and pointed out that the employees had voted to stay in Social Security; that before the Board could make a decision on this matter an updated report should be received from the consultant, information secured from the Social Security Administration, and discussion on benefits to the employees if the District does withdraw from Social Security; that a vote of all employees needed to be taken before the Board made a determination. He moved that the matter be laid over for one month; seconded by Mrs. Boxer.

In discussion Mrs. Boxer referred to the experience of Marin County upon its withdrawal from Social Security, pointing out that there was no way the District could match the Social Security benefits; that all new employees would suffer from the withdrawal.

In discussion of what would be substituted for Social Security, Mr. Callaghan stated that this could be developed during the two year waiting period.

Dan Borst, President
BAAQMD Employee Association, Local 2821

reviewed his written presentation entitled, Withdrawal From Social Security, dated October 31, 1978, advising that of 191 employees, 89 voted to withdraw, and 24 were against.

After further discussion, Mrs. Boxer withdrew her second to Mr. Kenny's motion, stating she would not vote against starting the two year period.

Mr. Grimm seconded Mr. Kenny's motion.

After further discussion, Mr. Cooper moved a substitute motion that the Board serve notice of its intent to withdraw from Social Security in two years; seconded by Mr. Landis.

In discussion, Mrs. Boxer stated that she would vote for the motion with the understanding that the Staff would develop alternate plans and an educational program for the Board and Staff.

The substitute motion carried on voice vote.

On motion of Mr. Cooper; seconded by Mr. Landis; adopted Resolution No. 1093, In the Matter of Authorizing the Air Pollution Control Officer to Request Termination of the Social Security (Old Age, Survivors, Disability and Health Insurance) Agreement Between the District and the State of California; carried on roll call:

AYES : ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE,
DOETSCH, HILLIGOSS, LANDIS, ROBERTS, SANTANA.

NOES : GRIMM, KENNY, CORQUODALE.

ABSENT: KOPP, LEIPZIG, OLIVER.

The Staff was requested to prepare a report on how the Board will review the matter of withdrawing from Social Security during the next two years.

PROPOSAL FOR IMPOSITION OF FEES FOR DISTRICT PUBLICATIONS

Mr. Callaghan reviewed his report, Proposed Fee for District Publications, dated October 25, 1978.

Mr. McHugh reviewed the current Resolution in effect, stating that the printing budget is about \$30,000./yr. and that by imposing fees additional revenues will be received. He outlined the current cost for various publications and the proposed charges for each.

Mrs. Boxer moved the adoption of Resolution 1094, In the Matter of Establishing Fees For District Services, Materials, and Equipment Use; seconded by Mrs. Chapman.

In discussion, Mr. Callaghan advised fees for Minutes and Agendas were not included in the schedule and that the Staff would be making recommendations thereon as well as fees for Board meeting packets; that no fees would be levied without being reported to the Board.

Mr. Chapman suggested that the word, "shall" in the Resolution under the heading "Copies" - Line 3, be changed to "may" and that the Staff provide the Board with a fee schedule for attachment to the Resolution at the next Board meeting as a Consent Calendar item.

Mrs. Boxer amended her motion to approve the concept of the Resolution with specifics to be presented to the Board on December 6, 1978. There was no second.

Mrs. Boxer amended her motion to adopt Resolution 1094 with the following changes to the Resolution as presented:

1(a) Line 3 - change "shall" to "may"

Attach fee schedule as submitted by Mr. McHugh, with an indication that no further fee schedule with respect to charges covering different pieces of information would be effective unless those charges were approved by the Board.

That on December 6, 1978 the Staff present its recommendation with respect to fees for Minutes, Agendas, Agenda Packets, and any other specific items not included in Resolution No. 1094.

These amendments were acceptable to Mr. Chapman.

The motion carried on roll call:

AYES : ASERA, BACCIOCCO, BOXER, CHAPMAN, CORTESE,
DOETSCH, GRIMM, HILLIGOSS, KENNY, LANDIS,
McCORQUODALE, ROBERTS, SANTANA.

NOES : NONE.

ABSENT: COOPER, KOPP, LEIPZIG, OLIVER.

Mr. Cooper left at 11:20 A.M.

REPORT OF CLEAN AIR ACT REQUIREMENTS FOR
REASONABLY AVAILABLE CONTROL TECHNOLOGY

Mr. Feldstein reviewed the APCO's report entitled, Clean Air Act Requirement for Submission of New State Implementation Plan - Reasonably Available Control Technology(RACT), dated October 23, 1978, specifically Table I entitled, Comparison of RACT Measures and District Regulations. He requested that the Board approve in principle the analysis to satisfy the District commitment to EPA, and that the Board indicate that it would approve holding public hearings in December, January, and February stating that a specific schedule and nature of regulatory amendments would be provided on November 15, 1978. He advised that the District will hold workshops with affected industries before the amendments are considered by the Board.

In discussion, Mr. Feldstein stated that one of the major criticisms of the ARB on the AQMP is the lack of inclusion of RACT requirement; that he felt EPA would allow time beyond January 1, 1979 for the regulatory hearings.

After further discussion, Mr. Chapman moved that the Board approve the approach presented by Mr. Feldstein and authorize the Staff to proceed with the schedule as outlined; seconded by Mrs. Boxer; carried.

Mr. Feldstein advised that the proposal would become part of SIP.

REPORT OF AIR POLLUTION CONTROL OFFICER

Mr. Callaghan advised that on October 25, 1978 the ARB adopted in principle their Staff proposal for an SO₂ regulation for the District; that the matter was referred to the Executive Officer to review the matter with the District and industry and each ARB Board member individually after which he will promulgate a regulation for the District; that the ARB Staff recommended 150 ppm and a more stringent time schedule; that Director Cooper made a

presentation to the ARB on behalf of the Board; that Dr. Scott Lynn, Chairperson of the Advisory Council, also made a presentation; that the District is proceeding with the Modelling Study.

In discussion of the Modelling Study, Mr. Eveleth Hayden, Executive Secretary, BALIA, advised that they have taken no action to change their agreement with the District.

- - -

Mr. Callaghan requested that the public hearing on the Lightering Operation scheduled for November 15, 1978 be postponed because the ARB is discussing a model rule on all maritime vessels, including Lightering on that day.

Mr. Landis moved that the November 15 public hearing be continued for two to three weeks; seconded by Mrs. Boxer; carried.

- - -

Mr. Callaghan reported on the permit issued to Ulrich Oil Company.

- - -

Mr. Callaghan submitted his resignation as of December 31, 1978.

- - -

Dr. Bacciocco moved the adoption of Resolution No. 1095, expressing appreciation to Mr. Callaghan; seconded by Mr. Asera; carried on roll call:

AYES : ASERA, BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH,
GRIMM, HILLIGOSS, KENNY, LANDIS, MCCORQUODALE,
ROBERTS, SANTANA.

NOES : NONE.

ABSENT: COOPER, KOOP, LEIPZIG, OLIVER.

Chairperson McCorquodale stated that the Executive Committee would discuss the process for replacement of Mr. Callaghan and report to the Board at its next meeting.

Mr. McCorquodale requested Mr. Powell to provide the Executive Committee with the legal requirements for appointing the APCO. He requested Mr. Callaghan to provide the Committee with the job specification and an overview of the requirements. He stated the Committee would meet on November 15 at 8:30 A.M.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Mr. Doetsch moved the adoption of Resolution No. 1096, In the Matter of Expressing Appreciation of the Board of Directors of the BAAQMD to Norman A. Bonner for his services; seconded by Mrs. Hilligoss; carried on roll call:

AYES: ASERA, BACCIOCOO, BOXER, CHAPMAN, CORTESE,
DOETSCH, GRIMM, HILLIGOSS, KENNY, LANDIS,
McCORQUODALE, ROBERTS, SANTANA.

NOES : NONE.

ABSENT: COOPER, KOPP, LEIPZIG, OLIVER.

PUBLIC COMMENTS

The following made presentations:

Jeffrey D. Gahe
Citizens For A Better Environment

pointed out that there was no regulation on tank cleaning operations and suggested an investigation be conducted on the amount of emissions from such operations and a regulation thereon be developed.

Mr. Feldstein was requested to prepare a report on the available technology with respect to tank cleaning operations, as well as the regulation requirements that may or may not be in effect thereon.

Kenneth S. Lim
Chief Engineer
Wellmade Metal Products Co.
Oakland

addressed the matters of permit fees and permit requirements for relocating facilities.

Chairperson McCorquodale referred the matter to Staff for a report back to the Board November 15, 1978.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, November 15, 1978, 939 Ellis Street,
San Francisco, California.

The meeting adjourned at 12:00 P.M.

Respectfully submitted

Mabel Harder
Clerk of the District

MH:ht

BAY AREA
AIR POLLUTION
CONTROL DISTRICT
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San Francisco, California 94109

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
November 15, 1978
9:30 a.m.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman, Ralph D.
Doetsch, Sr., Robert A. Grimm, M.
Patricia Hilligoss, James P. Kenny,
Daniel A. McCorquodale, Richard Oliver,
Verne L. Roberts, Charles Santana.

BOARD MEMBERS ABSENT:

Fred F. Cooper, Dominic L. Cortese,
Quentin Kopp, Laython N. Landis,
Marguerite Leipzig.

ADVISORY COUNCIL
MEMBERS PRESENT:

Scott Lynn, Chairperson.

STAFF MEMBERS PRESENT:

D. J. Callaghan, Thomas F. Bell,
Paul Brand, Hulan F. Brinkley, Warren R.
Crouse, Milton Feldstein, Terry Lee,
Dario Levaggi, Donald A. Monaghan,
John F. Powell, Robert Wilmarth,
Mabel Harder

1978

Chairperson McCorquodale called the meeting to order at 9:35 a.m.

PUBLIC PRESENTATION

There was no presentation.

The following Consent Calendar items were approved:

APPROVAL OF MINUTES OF NOVEMBER 1, 1978

Mrs. Hilligoss requested a correction on page 7, paragraph 8, line 3, to read, "... Mr. Chapman!"

Ms. Harder requested a correction on page 9, paragraph 6, to read: Mr. Callaghan advised he was retiring as of December 31, 1978.

The Minutes were approved as corrected.

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were received:

U.S. Department of Commerce

Annual Survey of Government Employment.

Peter J. Fearey

California Council for Environmental & Economic Balance

Copy of letter to Tom Austin, ARB, expressing concern about the overall AQMP/SIP process.

Stephen H. Cornet
Attorney at Law
Oakland, CA

Submitting claim of Roy Borelli.

M. A. Turoff, President
Turoff Industries, Ltd.
Skokie, Illinois

Requesting information on District regulations with respect to masking or modifying products to control plant malodors.

Harmon Wong-Woo, Chief
Stationary Source Control Division
ARB

Acknowledging receipt of District's 1978-79 application for Subvention.

Harmon Wong-Woo, Chief
Stationary Source Control Division
ARB

Submitting revised list of Abrasives certified for Dry Unconfined Blasting.

APPROVAL OF ADMINISTRATIVE CODE CHANGE
REGARDING TITLE OF SECRETARY TO THE BOARD

Adopted Resolution No. 1097, In the Matter of Amending the Administrative Code.

SET PUBLIC HEARING FOR DECEMBER 20, 1978 TO CONSIDER
CONTROL OF EMISSIONS FROM CAN AND COIL COATING OPERATIONS

The APCO's report entitled, Proposed Can/Coil Coating Regulation to be set for Public Hearing December 20, 1978, dated November 9, 1978, was presented.

SET PUBLIC HEARING FOR DECEMBER 20, 1978 TO CONSIDER CONTROL
OF EMISSIONS FROM BULK TERMINALS AND BULK PLANTS

The APCO's report entitled, Bulk Plant and Terminal Regulation to be set for Public Hearing on December 20, 1978, dated November 9, 1978, was presented.

On motion of Mr. Kenny, seconded by Mrs. Boxer; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, GRIMM, HILLIGOSS,
KENNY, MCCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES: NONE.

ABSENT: ASERA, COOPER, CORTESE, KOPP, LANDIS, LEIPZIG.

CLAIM - REPORT ON VEHICLE DAMAGE CLAIM AGAINST THE DISTRICT
BY ROY BORELLI

Mr. Callaghan's report entitled, Claim of Roy Borelli, dated November 7, 1978 was presented.

Mr. Doetsch moved that the claim be rejected; seconded by Mr. Kenny; carried.

REPORT OF EXECUTIVE COMMITTEE
Daniel A. McCorquodale, Chairperson

Chairperson McCorquodale announced that the Board would hold an Executive Session on December 6, 1978 with respect to the position of Air Pollution Control Officer.

Chairperson McCorquodale announced that the first Orientation

Session would be held following the Board meeting on January 17, 1979, and that two additional sessions would be held after that date.

Chairperson McCorquodale announced that a tour of the Chevron USA Refinery would be scheduled on a regular Board meeting day, as well as a tour of another facility on that same day; the date to be decided.

PUBLIC HEARING ON CONTROL OF EMISSIONS FROM LIGHTERING OPERATIONS

The APCO's report entitled, Public Hearing for Control of Emissions from Lightering Operations, dated November 9, 1978, was presented.

Mr. Kenny moved that the public hearing be continued to January 17, 1979; seconded by Mrs. Boxer; carried.

PUBLIC HEARING TO CLARIFY LANGUAGE OF REGULATION 3 RELATING TO STORAGE OF ORGANIC LIQUIDS

Mr. Powell presented nine Affidavits of Publication of Notice of Hearing, to the Clerk of the District.

APCO's report entitled, Public Hearing to Consider Amending Regulation 3 Relating to Storage of Organic Liquids, dated November 9, 1978, was presented.

Mr. Feldstein presented a Proposed Redraft - Organic Liquids Storage Requirements - Regulation 3, dated November 18, 1978, with Mr. Robert Wilmarth outlining the the changes.

Chairperson McCorquodale opened the public hearing at 9:55 a.m. The following made presentations:

Judith Moorad
Shell Oil Company

expressed concern with respect to §3104.3(c) requesting that the words be added, "except for one hour per month".

Mr. Wilmarth responded to her concerns, suggesting that the addition be, "except when the device is in use"; that an additional sentence be added to read: "During periods of gauging or sampling no organic vapors or gases shall be emitted to the atmosphere."

He outlined how organic losses could be prevented, to which Ms. Moorad responded that his amendment would involve additional equipment being installed.

After further discussion, Mr. Grimm moved that §3104.3(c) be amended to add the words, "except for one hour per month"; seconded by Mr. Roberts; carried.

James Dehnert
Lion Oil Company

suggested that §3104.3(c) read, "except when device is in use", to give more flexibility.

Forrest Bottomley
Union Oil Company

stated that Regulation is cumbersome and unnecessary; that there was no information on emissions, cost-effectiveness figures, and that time for compliance was not allowed.

Robert Gonzales
Chevron USA

expressed concern with §3104.2(b) and suggested that it be amended to read:

Any fixed roof ... by July 1, 1980. Modification shall also include the installation of an internal floating roof. The compliance ... "

In response, Mr. Wilmarth reviewed the history of the Regulation and the ARB's concern. Mr. Feldstein advised that the Staff would be agreeable to the amendment proposed by Mr. Gonzales.

After further discussion, Mr. Doetsch moved that §3104.2(b) be amended to add the sentence as recommended by Mr. Gonzales; seconded by Mr. Kenny; carried.

Chairperson McCorquodale closed the public hearing at 10:20 a.m.

Mrs. Hilligoss moved the adoption of Resolution No. 1098, In the Matter of Amending Regulation 3 Relative to Storage Tanks; seconded by Mr. Kenny; carried on roll call.

AYES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, GRIMM, HILLIGOSS, KENNY, MCCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES: NONE.

ABSENT: ASERA, COOPER, CORTESE, KOPP, LANDIS, LEIPZIG.

REPORT OF ADVISORY COUNCIL
Scott Lynn, Chairperson

Dr. Lynn reviewed the Report of Advisory Council, dated November 10, 1978.

There was discussion on the lack of attendance of representatives of the ARB and EPA when the Lightering Regulation was being discussed.

PUBLIC HEARING TO AMEND REGULATIONS 2 AND 3 RELATING TO STORAGE OF ORGANIC LIQUIDS.

Mr. Powell furnished the Clerk of the District nine Affidavits of Publication of Notice of Public Hearing.

The APCO's report entitled, Public Hearing to Consider Amending Regulations 2 and 3 Regarding Experimental Operations, dated November 9, 1978, was presented.

Chairperson McCorquodale opened the public hearing at 10:31 a.m. There were no presentations. He closed the public hearing at 10:32 a.m.

Mrs. Boxer moved the adoption of Resolution No. 1099, In the Matter of Amending Regulations 2 and 3 Relating to Experimental Operations; seconded by Mr. Kenny; carried on roll call:

AYES: BACCIOCCO, BOXER, CHAPMAN, DOETSCH, GRIMM, HILLIGOSS, KENNY, McCORQUODALE, OLIVER, ROBERTS, SANTANA.

NOES: NONE.

ABSENT: ASERA, COOPER, CORTESE, KOPP, LANDIS, LEIPZIG.

REPORT OF AIR POLLUTION CONTROL OFFICER
D.J. Callaghan

Mr. Feldstein responded to the concerns of Mr. Kenneth S. Lim
Wellmade Metal Products

expressed at the November 1 Board meeting stating that under the regulation Mr. Lim would be required to get an Authority to Construct to move his operations to a new location and that it would be necessary to pay the fees involved; that a draft of the revised fee schedule would be submitted to the Board in early January, which proposal would provide for a rebate for those persons who had paid higher fees than the new schedule is proposing.

Mr. Santana left at 10:35 a.m.

Mr. Feldstein reported on the concerns expressed by Mr. Jeffrey Gabe
Citizens for Better
Environment

on November 1, 1978 with respect to the permit issued to Urich Oil Company as to emissions from cleaning of tanks, advising that such emissions are covered under §3101, Regulation 3; that about 5-6 tanks are cleaned per year with total emissions of less than .2 T/D; that the Staff has met with Mr. Gabe and representatives of UCO, and have agreed to a modification of the permit conditions which he outlined.

Mr. Callaghan advised that it is probable EPA will provide a grant to the District in amount of \$528,000.

Mr. Callaghan advised that Mr. Tom Bell had been appointed the new Personnel Manager.

CHAIRPERSON'S REPORT
Daniel A. McCorquodale

Chairperson McCorquodale advised that in line with the discussion at the meeting held with the Officers of the Employees Unions on October 4 to create a closer relationship between the employees of the District and the Board, it is planned that on three occasions members of the Board would meet with the employees, starting January 17, and he urged as many Board members to be present as possible.

Mr. Asera arrived at 10:45 a.m.

The Pending Referrals from the Board of Directors, dated November 7, 1978, was presented.

PUBLIC COMMENTS

Mr. Kenny inquired if the agricultural burning dates in the Central Valley had been changed, to which Mr. Brinkley responded in the negative, advising that in some Districts the APCO has authorization to allow burning on "no burn days" on the basis of economic hardship.

The Board went into Executive Session at 10:50 a.m. to discuss matters relating to personnel.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday, December 6, 1978, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:20 a.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:pj

BAY AREA
AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET
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Dec 6, 1978

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday ✓
December 6, 1978
9:30 a.m.

939 Ellis Street
San Francisco,
California 94109

M I N U T E S

BOARD MEMBERS PRESENT: Larry Asera, Edward J. Bacciocco, Jr., Barbara Boxer, Sam Chapman, Fred F. Cooper, Dominic L. Cortese, Ralph D. Doetsch, Sr., M. Patricia Hilligoss, James P. Kenny, Daniel A. McCorquodale, Charles Santana.

BOARD MEMBERS ABSENT: Robert A. Grimm, Quentin Kopp, Laython N. Landis, Richard Oliver, Verne L. Roberts.

ADVISORY COUNCIL

MEMBERS PRESENT: William B. McCormick, Jack C. Oppenheimer

STAFF MEMBERS PRESENT: D. J. Callaghan, Thomas F. Bell, Hulan F. Brinkley, Warren R. Crouse, Milton Feldstein, Terry Lee, Dario Levaggi, Donald A. Monaghan, Edward W. McHugh, John F. Powell, Mabel Harder.

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Chairperson McCorquodale called the meeting to order at 9:45 a.m.

PUBLIC PRESENTATION

There was no presentation.

The following Consent Calendar items were approved:

APPROVAL OF MINUTES OF NOVEMBER 15 1978

Ms. Harder requested a correction on page 7, line 6, to read:
"starting January 17, at 8:30 a.m.,..."

COMMUNICATIONS

Barbara Boxer, Secretary

The following communications were received:

Nancy Lucke
Crown Zellerbach

Protesting the permit fee schedule, stating it is unwarranted, unjustified and is not based on the Legislative intent, and urging the Board to reconsider its action and modify it to make it consistent with its governing legal authority.

William Mehrwein, Secretary
Alameda County City Selection Committee

Notice of meeting on December 13, 1978 to select a City representative to the BAAQMD for the term ending January 5, 1979.

Stephen H. Cornet
Attorney at Law
Oakland

Enclosing copy of Roy Borelli claim for signature.

Jeffrey D. Gabe
Staff Scientist
Citizens for a Better Environment

Copy of letter to Mr. Callaghan with respect to investigating the extent of hydrocarbon emissions during the cleaning of petroleum storage tanks.

Evee T. Lewis
Acting Sonoma County Clerk

Notice pursuant to Government Code §53051 that a public agency is required to file a Statement of Fact with the Secretary of State and the County Clerk in each county in which the public agency maintains an office.

Councilperson Marguerite Leipzig

Submitting her resignation, effective immediately.

Lowell V. Smith

Submitting his resume for consideration for reappointment to the Advisory Council.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Report for November, 1978, dated November 28, 1978; Director of Technical Services Monthly Activity Report, October 18 to November 21, 1978; Director of Engineering Services Monthly Activity Report, October 21, 1978 to November 20, 1978; Director of Public Information Monthly Activity Report - October 25 - November 24, 1978; Status of Legal Matters - October 24, 1978 to November 20, 1978; Controller's Appropriation Statement & Cash Position, dated October 31, 1978.

SET PUBLIC HEARING FOR JANUARY 17, 1979 TO CONSIDER CONTROL OF EMISSIONS FROM AUTO PAINTING OPERATIONS

The APCO's report entitled, Automobile Assembly Coating Regulation To Be Set for Public Hearing on January 17, 1979, dated November 28, 1978, was presented.

SET PUBLIC HEARING FOR JANUARY 17, 1979 TO CONSIDER CONTROL OF EMISSIONS FROM PAPER & FABRIC COATING OPERATIONS

The APCO's report entitled, Proposed Paper, Fabric and Film Coating Regulation To Be Set for Public Hearing January 17, 1979, dated November 22, 1978 was presented.

SET PUBLIC HEARING FOR JANUARY 17, 1979 TO CONSIDER CONTROL OF EMISSIONS FROM REFINERY EQUIPMENT

The APCO's report entitled, Petroleum Refinery Equipment Regulation To Be Set for Public Hearing on January 17, 1979, dated November 29, 1978 was presented.

SET PUBLIC HEARING FOR FEBRUARY 7, 1979
TO CONSIDER AMENDMENTS TO PERMIT FEE SCHEDULE

The APCO's report entitled, Request To Set A Public Hearing for February 7, 1979 To Consider Amendments To The Permit Fee Schedule, dated November 4, 1978 was presented.

Approved on motion of Mr. Cortese; seconded by Mr. Chapman;
carried.

REPORT OF THE PERSONNEL COMMITTEE
Richard Oliver, Chairperson

In the absence of Mr. Oliver, Chairperson McCorquodale reported that the Personnel Committee met on November 22, 1978 to hear the appeal of Ms. Maria Gonzalez; that the next meeting of the Committee would be on December 20 to discuss the vacancies on the Advisory Council and reappointment of Council members.

PUBLIC HEARING TO CONSIDER
CONTROL OF FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

The APCO's report entitled, Public Hearing for Control of Emissions from Phosphate Fertilizer Plants, dated November 29, 1978, was presented.

Dr. Bacciocco arrived at 9:36 a.m.

Mr. Feldstein reviewed the background for the need for the regulations; Mr. Brinkley reviewed the proposed regulation advising that there are six operations covered by it.

Chairperson McCorquodale opened the public hearing at 9:50 a.m.

Nine Affidavits of Publication of Notice of Public Hearing were presented.

There were no presentations.

Mr. Doetsch moved that the public hearing be closed at 9:51 a.m.; seconded by Mr. Kenny; carried.

Mr. Doetsch moved the adoption of Resolution No. 1100, In the Matter of Amending Regulation 2 Relating to the Control of Emissions from Phosphate Fertilizer Plants; seconded by Mr. Kenny; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE,
DOETSCH, HILLIGOSS, KENNY, MCCORQUODALE, SANTANA

NOES: NONE

ABSENT: GRIMM, KOPP, LANDIS, OLIVER, ROBERTS

PUBLIC HEARING TO CONSIDER
CONTROL OF ACID MIST EMISSIONS FROM SULFURIC ACID PLANTS

The APCO's report entitled, Public Hearing for Control of Emissions from Sulfuric Acid Production Units, dated November 20, 1978 was presented.

Mr. Brinkley summarized the proposed regulation, stating that at the current rate of production, no existing plant would be affected.

Chairperson McCorquodale opened the public hearing at 9:55 a.m.

Nine Affidavits of Publication of Notice of Public Hearing were presented.

There were no presentations.

Mr. Santana moved that the hearing be closed at 9:56 a.m.; seconded by Mr. Chapman; carried.

Mr. Santana moved the adoption of Resolution No. 1101, In the Matter of Amending Regulation 2 Relating to the Control of Emissions from Sulfuric Acid Production Units; seconded by Mr. Chapman; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, CORTESE, DOETSCH, HILLIGOSS, KENNY, MCCORQUODALE, SANTANA.

NOES: NONE.

ABSENT: COOPER, GRIMM, KOPP, LANDIS, OLIVER, ROBERTS.

REPORT OF APCO
D.J. Callaghan

Mr. Callaghan advised that a report would be presented to the Board the latter part of January with respect to charging for Agendas, Minutes, and Hearing Board matters. Chairperson McCorquodale requested this matter be referred to the Executive Committee for discussion after January 15, 1979.

Mr. Callaghan reported on the lease with the Redevelopment Agency of the City and County of San Francisco, stating that the Executive Director has advised that the City desires to utilize as much of its own buildings as possible and that there is a possibility of consolidation; that the auditor for the City recommended that the lease be limited to a shorter period than the proposed six years and at a lesser amount than the proposed 80 cents per square foot; that the Redevelopment Agency requests a two year lease at 70 cents per square foot and \$15 per parking space. Mr. Callaghan recommended that the Board accept a two year lease starting January 1, 1979, on the basis of 75 cents per square foot and \$15 per parking space.

After the discussion, Mrs. Boxer moved that the staff be authorized to negotiate the lease at 75 cents per square foot and \$15 per parking space for a two year term; seconded by Mr. Chapman; carried.

Mr. Callaghan in commenting on the financial condition of the District, expressed concern for the 1979-80 Fiscal Year, and advised that Senators Nejedly and Campbell had introduced bills pertaining to special districts and counties, from which if passed, some funds may be obtained by the District; that there has been discussion with legislators regarding entering legislation to provide the District with authority to charge emission fees.

Mr. Callaghan advised that the contract with Mr. Gerald Desmond, the District's legislative representative, expires December 31, 1978, and he recommended that the contract be continued for at least six months; that funds were budgeted; that the present contract is for \$15,000 per year.

Mr. Chapman moved that the Board authorize the contract be renewed for a six months period; seconded by Mr. Kenny; carried on roll call:

AYES: ASERA, BACCIOCCO, BOXER, CHAPMAN, COOPER, CORTESE, DOETSCH, HILLIGOSS, KENNY, MCCORQUODALE, SANTANA.

NOES: NONE.

ABSENT: GRIMM, KOPP, LANDIS, OLIVER, ROBERTS.

Mr. Callaghan advised that Mr. Desmond could appear before the Board on January 3, 1979 to present his report.

Mr. Callaghan advised that Mr. Monaghan was resigning as Controller as of December 31, 1978.

CHAIRPERSON'S REPORT

The following reports were presented: Pending Referrals from Board of Directors, dated November 16, 1978; Board Referrals to Advisory Council, dated November 10, 1978.

Mrs. Boxer, as Chairperson of the Ad Hoc Committee on Building Maintenance, called attention to the need for new carpeting and painting of the offices, stating that approximately \$25,000 had been set aside for this and that even though there was a financial problem, it was important to maintain the building and that the Board should consider doing these repairs. Mr. Callaghan advised that bids have been received for doing such work and that the Budget and Finance Committee could review the contract after the first of the year.

- - -

Chairperson McCorquodale stated that because of the two vacancies on the Board and that a number of Directors could not be present on December 20, a meeting should not be held on that day. For legal purposes, it was agreed Ms. Harder should call the meeting to order on December 20 and adjourn it to January 3, 1979; that the public hearings on the Control of Solvent Emissions from Can/Coil Coating Operations and Control of Organic Compound Emissions from Terminals and Bulk Plants set for that day be continued to January 3, 1979.

- - -

Dr. Bacciocco requested that the Personnel Committee meeting on December 20, 1978 start at 9:00 a.m., and it was so agreed.

PUBLIC COMMENTS

There were no presentations.

EXECUTIVE SESSION OF THE BOARD OF DIRECTORS TO DISCUSS THE SELECTION OF THE AIR POLLUTION CONTROL OFFICER

The Board went into Executive Session at 10:30 a.m. and reconvened at 11:45 a.m. A quorum was present, and Chairperson McCorquodale announced that by a unanimous vote the Board had appointed Mr. Milton Feldstein the Air Pollution Control Officer, effective January 1, 1979.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday December 20, 1978, 939 Ellis Street, San Francisco, California.

Meeting adjourned at 11:50 a.m.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:fd

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AIR QUALITY MANAGEMENT DISTRICT
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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday
December 20, 1978
9:30 a.m.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

BOARD MEMBERS PRESENT: None.

BOARD MEMBERS ABSENT: Larry Asera, Edward J. Bacciocco, Jr.,
Barbara Boxer, Sam Chapman, Fred
F. Cooper, Dominic L. Cortese,
Ralph P. Doetsch, Sr., Robert A.
Grimm, M. Patricia Hilligoss, James
P. Kenny, Quenti Kopp, Laython N.
Landis, Daniel A. McCorquodale,
Richard Oliver, Verne L. Roberts,
Charles Santana.

STAFF MEMBERS PRESENT: Mabel Harder.

- - -

Ms. Harder called the meeting to order at 9:45 a.m. A quorum not being present, the meeting was adjourned to Wednesday, January 3, 1979, 9:30 a.m., 939 Ellis Street, San Francisco, California.

Respectfully submitted,

Mabel Harder
Clerk of the District

MH:rjl

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